

PROCEEDINGS  
OF THE  
MASSACHUSETTS HISTORICAL SOCIETY.

*Committee of Publication.*

EDWARD J. YOUNG.

CLEMENT HUGH HILL.

ALEXANDER McKENZIE.







*Richard Frothingham*





PROCEEDINGS

OF THE

Massachusetts Historical Society.

VOL. I.—SECOND SERIES.

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1884-1885.

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## PREFACE .

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WITH this volume begins a new Series of the Proceedings; and a comparison with those immediately preceding it will show that it is improved in its typographical appearance, and presents a more attractive page. It contains no record of any meeting in September, as in former years,—the Council having determined that this month should be included in the summer vacation, which extended from the beginning of July to October.

In addition to the papers which have been presented at stated meetings of the Society, there will be found here six Memoirs. That of the Rev. William Newell, D.D., has been written by Dr. Clarke; that of Horatio G. Somerby, by Mr. Appleton; that of George Dexter, by Mr. C. C. Smith; those of the Hon. Richard Frothingham, LL.D., and Samuel F. Haven, LL.D., by Mr. Deane; and that of Charles W. Tuttle, Ph.D., by Mr. Slafter. Accompanying these biographies are five portraits. The engraved likeness of Mr. Frothingham has been given by Mrs. Frothingham; the heliotypes of Mr. Dexter and Mr. Haven have been kindly furnished by their families; and that of Mr. Somerby is also a gift to the Society.

Inasmuch as some exceptions have been taken to certain statements which have appeared in former volumes of the Proceedings, it seems necessary to say that, in publishing the views of its various members, the Society does not thereby approve them. Different and even contradictory opinions may be brought forward in relation to the same subject at the same or any subsequent meeting; and these will always be printed, without attempting to decide between them. It should be distinctly understood that neither the Committee of Publication nor the Society assumes any responsibility for the communications which are read, or the sentiments which are set forth, or the phraseology which is used by the several writers, but that each individual is alone accountable for the judgments which he makes, and for the language and style which he adopts.

Since the last meeting which is reported in this book, the honored President of the Society has reiterated his desire to be released from further official duty. Having filled the office which he has held for thirty years with pre-eminent ability and fidelity, the members are deeply sensible of the serious loss which they have sustained by his withdrawal, and of their great indebtedness to him. For a whole generation he has contributed, in no small degree, to give the Society its position at home, and to secure for it respect and honor abroad; and every volume of its Proceedings during his long term of service bears witness to his devotion to its interests. This is not the place to speak at length with reference to an event which is second to none that has occurred in the history of the Society; but it is a satis-

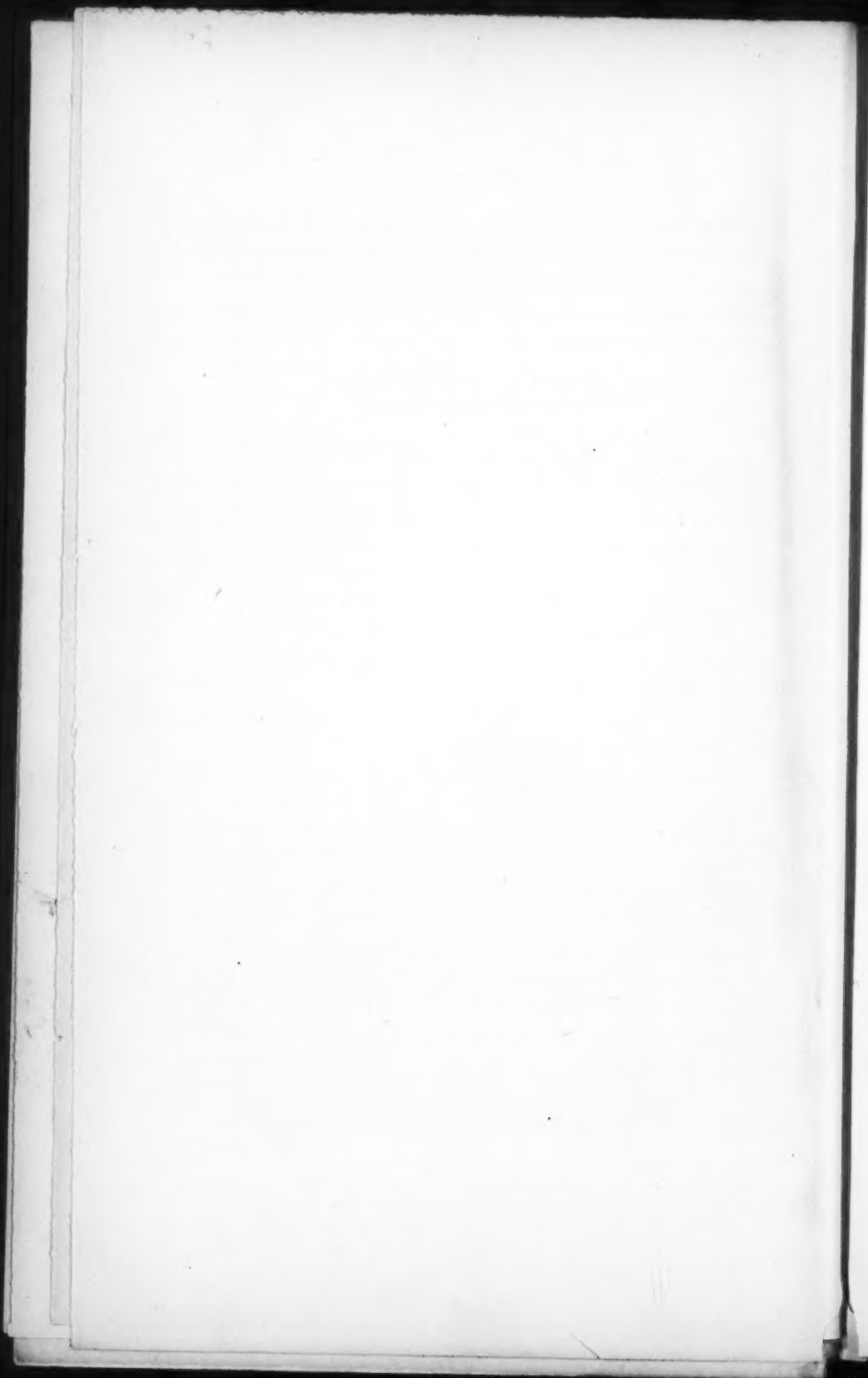


faction to know that, though we are no longer to have Mr. Winthrop for our President, he will still remain with us as a member, and that we may entertain the hope that a long time will elapse before his name shall cease to adorn our Resident roll.

*"Sic habites terras! sic te desideret æther!  
Sic ad pacta tibi sidera tardus eas!"*

EDWARD J. YOUNG.

CAMBRIDGE, March 27, 1885.



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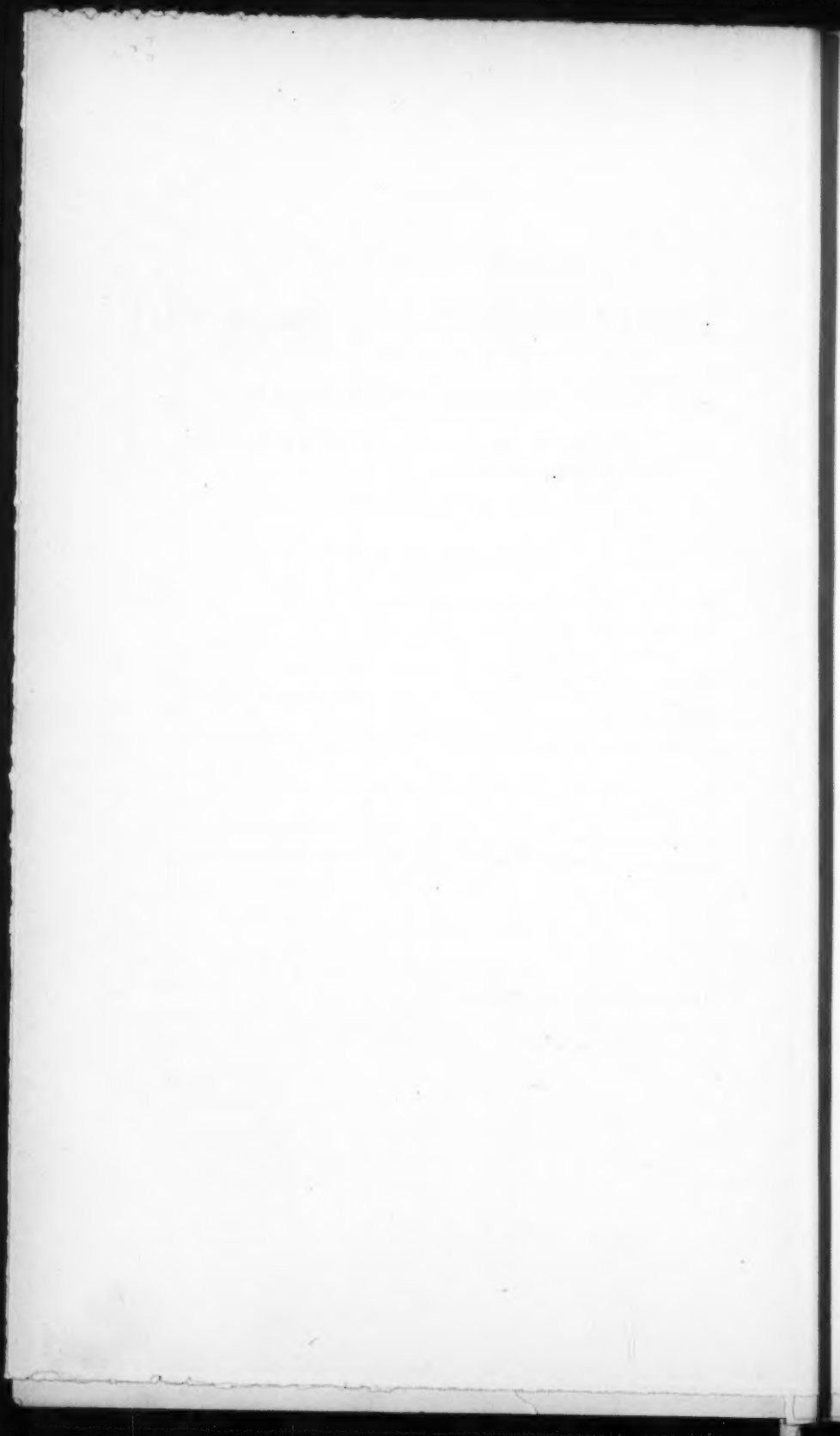
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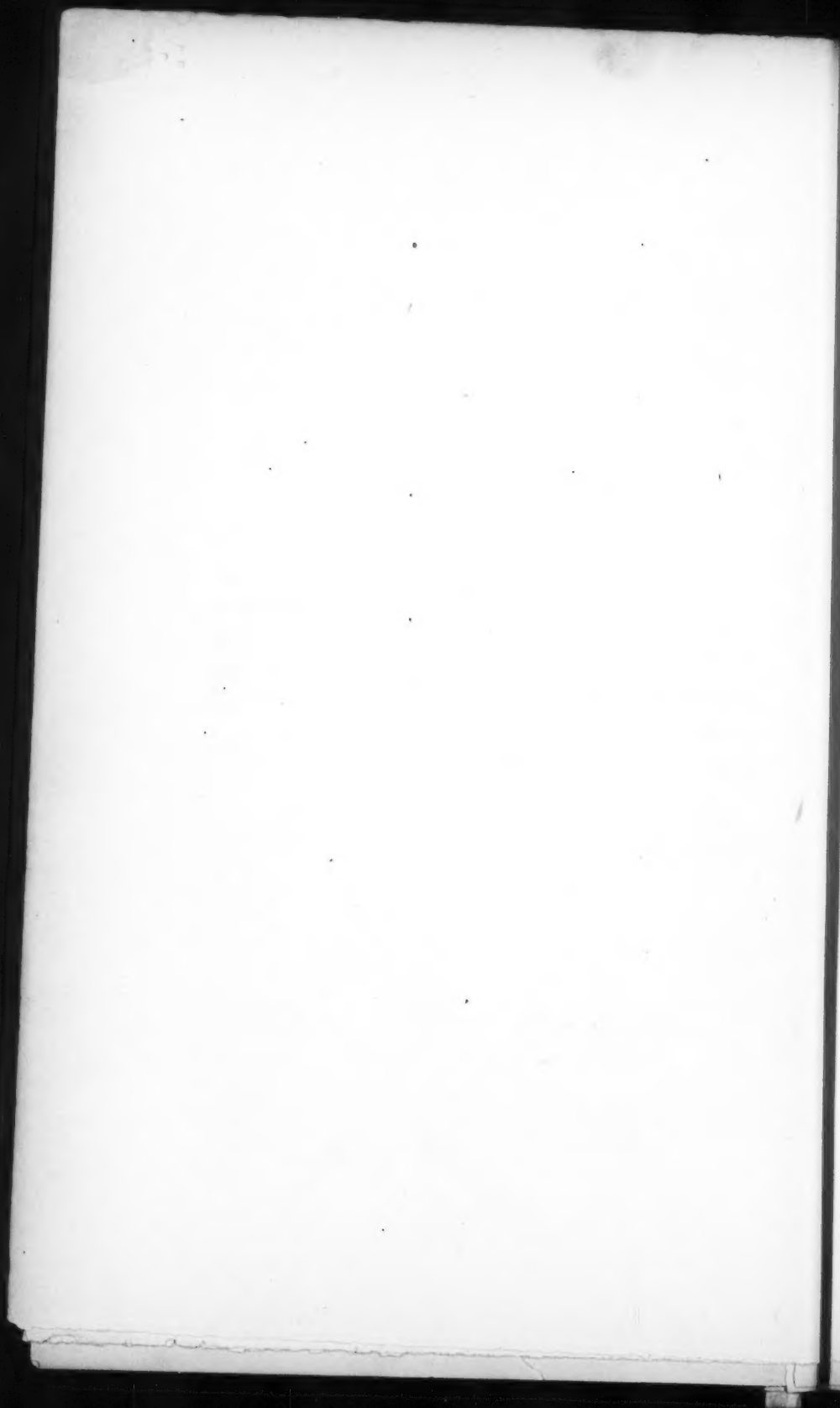




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was issued, March 28, 1884.*

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# PROCEEDINGS

OF THE

## MASSACHUSETTS HISTORICAL SOCIETY.

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### JANUARY MEETING, 1884.

THE first meeting of the new year was held in the Dowse Library, on Thursday, the 10th instant, at 3 P.M.; the Hon. ROBERT C. WINTHROP, the President, occupying the chair.

The Recording Secretary read his report of the last meeting, which was accepted.

The Librarian announced the donations to the Library during the previous month.

The PRESIDENT then said : —

The New Year opens for us, Gentlemen, not altogether without clouds, but with renewed cause for gratitude to God for the general prosperity we have enjoyed. Ninety years are now completed since our Act of Incorporation was accepted; ninety-three years since our Society was formally organized; and ninety-four years since those first nebulous meetings of the original five founders, who, having added five more to their number, proceeded to institute the first Historical Society in the United States.

It will be time enough, when our Centennial shall arrive, six years hence, to review the rise and progress of our own Society and of the numberless kindred associations, in all parts of our country, which have sprung up under our example.

Nor will I detain you, this afternoon, with any detailed account of what has been accomplished by us during the past

year. Such an account belongs peculiarly to our Annual Meeting in April, and may well be reserved for that occasion. Meantime, one or two New Year's gifts for the Society have reached me within a few days, under circumstances and with associations of more than common interest, and to which I will first call your attention.

It may perhaps be remembered that, just as our last meeting was coming to its close, on the 12th of December, I alluded to a letter which I had received from the Rev. Edwin M. Stone, formerly of Beverly, Massachusetts, and the historian of that town, but more recently of Providence, Rhode Island. The letter was written by an amanuensis, and stated that he was very ill, but that he desired to present to this Society, in recognition of courtesies received from it, a copy of his new volume, just published, entitled "Our French Allies." The volume reached me only yesterday, accompanied by a copy for myself. It is an elaborate work, of more than six hundred pages, with a great number of interesting portraits and illustrations, giving a detailed account of the French officers and soldiers who came over to our assistance in our struggle for Independence, and of many of the American officers and soldiers who were associated with them during the last years of the War of the Revolution, and more particularly of the Rhode Island officers. It concludes with an account of the great commemoration at Yorktown three years ago.

The volume is an interesting and valuable contribution to the history of the French alliance, and we should all have been glad to return our grateful acknowledgments to the author for so acceptable an addition to our Library. But the illness from which he was suffering proved to be fatal, and Mr. Stone died at Providence on the 15th of December, three days only after our meeting, in the seventy-eighth year of his age. He was a native of Massachusetts, a worthy and excellent man, and an earnest worker in the field of American history. I have a melancholy satisfaction in fulfilling his request by laying on the table this last and most cherished work of his life.

Another gift to our Society has reached me within a few days past, which has many interesting and touching associations. It comes from William Minot, Esq., the son of our late Resident Member of the same name, and the grandson of one of our most eminent founders, George Richards Minot. I can

describe the gift in no language so appropriate as that of the letter which accompanied it.

39 COURT STREET, Jan. 2, 1884.

DEAR MR. WINTHROP, — Soon after the passage of our State Bill of Rights in 1783, an African female slave, by the name of Mumbet, was emancipated in Sheffield by process of law, brought to a final judgment in her favor by Mr. Theodore Sedgwick.

Mumbet subsequently entered Mr. Sedgwick's service as his children's nurse, and died in his home in Stockbridge, greatly respected and beloved by his family.

She was in the habit of wearing a necklace of gold beads, and just before her death she gave this necklace to Miss Catherine M. Sedgwick, the youngest daughter of Judge Sedgwick. Miss Sedgwick valued it highly, and had the beads formed into a bracelet as more convenient for her own wear. At her death she gave the bracelet to her niece, my wife, who in turn left it to my daughter, lately deceased.

There can be no doubt of its genuineness, and it is a curious and interesting relic as having belonged to the first slave ever emancipated by process of law in Massachusetts, if not in the United States.

By an accident, some of the beads were lost. To preserve those remaining, I have had them reunited, whence the smallness of the bracelet as it now is. As a relic, valuable for its associations, it marks so striking an epoch in our social and political progress, that I thought it might be worthy of a place in the Cabinet of the Massachusetts Historical Society. If you agree with me, will you be so kind as to request the Society to become the custodian of it?

Very sincerely yours,

WM. MINOT.

HON. ROBERT C. WINTHROP.

This little relic thus comes to our Cabinet, associated not only with the memories of Theodore Sedgwick, the old Speaker and Senator in Congress and a Judge of the Supreme Court of Massachusetts, and of his daughter, Miss Catherine Sedgwick, the accomplished authoress, and of other members of their family more recently and sadly deceased, but with the humble African servant, greatly respected and beloved by that family, who is believed to have been the very first subject of emancipation under the Massachusetts Bill of Rights in 1783. I am sure you will all desire to offer a grateful acknowledgment to Mr. Minot, and I venture to offer the following Resolution:—

*Resolved*, That the thanks of this Society be returned to William Minot, Esq., for the very interesting relic which he has presented for our Cabinet, and that we shall gladly give it a place among our most precious memorials.

I turn now, Gentlemen, to still more serious topics.

A The death of M. Henri Martin, on the 14th of December last, takes another distinguished name from our Foreign Honorary Roll. He has followed his contemporary and friend, M. de Laboulaye, after a brief interval.

M. Martin was well known, on both sides of the Atlantic, as the author of an elaborate and voluminous History of France, from the most remote period almost to the present day. Its last chapter includes the accession of M. Gambetta to the chief place in the French Ministry, less than three years ago. This work, as originally published, secured for its author the great Gobert Prize, "for the most eloquent page or chapter of French history," from the Academy of Inscriptions and Belles-Lettres and the Institute of France. Many portions of the work have been translated into English by Miss Mary L. Booth and others, and have been published in our own city, — the last three volumes, with copious and costly illustrations, by Estes & Lauriat.

M. Martin was a member of the Institute and a Senator of France. Like Laboulaye, he was an ardent Republican, and evinced a deep interest in the success of the Union cause during our late civil war. He was a member of the Commission for presenting to the United States the gigantic statue of "Liberty enlightening the World," and most kindly accompanied M. Bartholdi in conducting me to see that marvellous work when I was in Paris in October, 1882. I had met him many years before at the table of our associate, Mr. Charles C. Perkins, who will bear witness with me to his great interest in our country and its institutions.

An excellent portrait of M. Martin will be found in the January number of the New York "Century," in connection with an interesting article on "The Forty Immortals," of which he was one. "Henri Martin," says that article, "stands next to Mignet. This good man has rehabilitated the Druids, erected an altar to Joan of Arc, and shown the Revolution to be the triumph of the equality-loving Celt over the Frank

and his feudal system." "Henri Martin," the article goes on to say, "is in his seventy-third year. He has a tall, strong-boned, loose-made, stooping figure, and a serious face which easily lights up into smiles and expresses pleasure—mental or moral—in blushing cheeks. His inner man lives in the most transparent of glass houses. Though a well of erudition, he keeps the freshness of childhood. It delights him to oblige. His conversation, when he is set talking on a subject in which he is at home, is an instructive and delightful essay. . . . Though tolerant of every belief, or unbelief, he groans when he sees materialist articles in the scientific columns of the Republican papers. His grandchildren are nourished with works of Unitarian piety. One of his two children—a daughter—was the delight of his eyes and pride of his heart. She grew up in beauty, and cultivated, under Ary Scheffer, a genius for painting. On the day on which she had achieved an artistic triumph and was engaged to be married, she died. Henri Martin clings to the old belief in the soul's immortality."

The writer was mistaken in speaking of him as "standing next" to Mignet on the rolls of the Academy. Mignet's election dates from 1836, while Martin succeeded Thiers in 1878. But I can add nothing to a sketch so vivid, written while he was yet living, and evidently by one who knew him well. Another year had been added to his life before it ended. He was but nine months younger than myself, having been born on the 20th of February, 1810. I recall the emphatic eagerness with which he took off his hat and saluted me, on learning that I was his senior.

The journals have stated that a public funeral was proposed for him by the Government of France, but that it was found that he had expressly prohibited such a ceremonial by his will, and had requested that the amount which it would have cost should be given to the poor.

He was elected an Honorary Member of this Society in October, 1878, the year of the centennial anniversary of that French alliance which resulted in Yorktown and the Treaty of Peace and Independence.

We can notice, Gentlemen, without emotion, the loss from our Foreign Honorary Roll of the name, however distinguished,

of one who has died at a good old age, having finished his labors and won his laurels, and for whom little remained but the infirmities of advancing years; but the loss of which we are specially reminded to-day, comes home to all our hearts, and cannot be announced without sincere sorrow.

MR. GEORGE DEXTER was elected a Resident Member of this Society in October, 1877. His close relations with one of our oldest and most valuable associates and officers, who has the warm sympathies of us all, had already prepared him for entering at once and heartily into our service, and, at the Annual Meeting immediately following his admission as a member, he was installed as our Recording Secretary.

It has happened to me during my long service in this chair—I hardly dare remember how long it has been—to be associated with many Recording Secretaries,—the excellent Chandler Robbins, the devoted Charles Deane, the genial and delightful Edmund Quiney,—not to name the occasional Secretaries *pro tem.* who have so obligingly taken the place in emergencies occasioned by absence or ill-health. I have owed them all many kind attentions and much valuable assistance. But it is no disparagement to either of them for me to say, that we had found in Mr. Dexter a man singularly and eminently adapted to our work, and that, during the few years in which he has been spared to our service, he has more than fulfilled our highest expectations, and has shown himself a model secretary for all who may follow him.

His labors, I need not say, have been by no means confined to the keeping of our records or the printing of our Proceedings. He has been one of the most constant contributors to those Proceedings, and has never been weary in bringing forth from our own archives, or from other sources at his command, interesting and valuable papers, which he has rendered more interesting and more valuable by his careful explanations and annotations. Tutor Sever's Argument; Governor Pownall; the Letters of Dr. Andrew Eliot; the Journals of Thomas Wallcut and Charles Turner; the First Voyage under Sir Humphrey Gilbert's Patent; Governor Hutchinson's Letters from the Public Record Office; the Old Record-Book of the Suffolk Bar; Dr. Belknap's Journal of a Visit to the Oneida Indians; Henry Wheaton's Letters; a Letter to Wheaton from Erasmus Rask on the Northmen; the Letters of Colum-

bus and Vespuccius, — such are the varied subjects of his successive communications. The two last-named of them called into play his exceptional accomplishments as a modern linguist, which were often turned to valuable account in our service. When we remember that he was only associated with us for five or six years, and that a considerable part of this period was doomed to be spent in foreign lands or in a remote region of his own land, we may well feel that he had made the very most of his time in contributing to the volumes of which he was, also, the principal Editor.

Amiable, intelligent, accomplished, a graduate of Harvard University, of which he was for a time a tutor and a pupil of her Law School, an earnest member of the Church with which he was associated, his tastes, studies, and acquirements gave promise of rich fruit in years to come; and nothing seemed wanting but health to insure for him a distinguished place in historical pursuits and literature. But, alas! he early manifested pulmonary weakness, and has fallen a victim to consumption while still in the prime of life. He left us for Santa Barbara, California, last autumn, and died there, to the great sorrow of us all, on the 18th of December.

There are some of his contemporaries and classmates who may desire to pay tributes to his memory, and I leave it to them to do ampler justice to his character.

Meantime, I am instructed by the Council to submit the following Resolutions: —

*Resolved*, That in the lamented death of our associate and late Recording Secretary, George Dexter, this Society has lost a signally faithful and valuable member, and one who had endeared himself to us all by his obliging disposition, his devoted services, and his Christian character.

*Resolved*, That Mr. Charles C. Smith be requested to prepare a memoir of Mr. Dexter for our Proceedings.

Mr. WARREN then offered the following remarks: —

Mr. President, — I most heartily concur in all that you have so eloquently and justly said of our deceased associate, George Dexter; but as a classmate and friend I may be allowed a few simple words expressive of my appreciation of his high charac-



ter, and my deep sense of the great loss that has befallen our Society.

The premature death of a man like Dexter is a double loss to this Society, in taking away the ardent impulse and enthusiasm of early manhood, and those many years of earnest and important service that we hopefully looked for, and rightfully felt were guaranteed by his industry and scholarship.

I knew Dexter very early in his college career, though the long span of the alphabet, so potent a factor in determining friendship in those days, separated us more than I could have wished, and left to after life a full appreciation of his genial spirit, and conscientious critical method of approaching subjects which engrossed his attention. But even then, though quiet and reserved, he made many friends; and a friendship once formed with him could only grow in warmth by closer acquaintance. In college he was studious and diligent; yet at that time I do not think he was especially attracted to historical and antiquarian studies: probably the love for them grew upon him as he became more completely the master of his own time; and not unlikely his happy connection by marriage with our honored and indefatigable associate, Mr. Deane, assisted and encouraged him, till these studies became an absorbing pursuit. I well remember, on the occasion of a vacancy in the office of Recording Secretary of this Society, one of our older members, who knew Dexter well, said to me, "What an excellent man Dexter would be for that position!" His election to membership, and to the secretaryship, was not long after this; and we now gratefully acknowledge his eminent fitness for the position, as we recognize his unfailing assiduity, his valuable and frequent contributions to the Proceedings, his constant readiness to render assistance to others, and his persistent devotion to the very laborious duties of the office.

I know how easy it is to be led into an exaggerated estimate of one we mourn; but I hazard nothing in saying that Dexter's capacity and knowledge, his powers of patient investigation, combined with an enthusiastic and devoted spirit, would, had his life been spared, have gained him very high distinction in this Society and in all the walks of life. His was a sterling character, equable, trustworthy, and strong. His unvarying cheerfulness made his presence always a de-



light; and as we watched him at his post here in these later days, when the insidious disease marked all too plainly its sad progress, we could only admire the buoyancy of spirit and uncomplaining fortitude which led him to struggle on when hope had almost fled from those that loved him best. The same manly courage and hopefulness sustained him to the last; and, passing from us, on the distant shores of the Pacific, where he had vainly sought relief in a milder clime, he has left to all the remembrance of an upright life, a pure character, and an earnest devotion to historical truth, and to his intimate acquaintances an abiding sense of real worth and true friendship.

Mr. FOOTE followed with these words:—

Mr. President,—Although nothing perhaps can be added to the discriminating and appreciative tributes which have already been given, I am moved to bear my testimony also to the rare character of Mr. Dexter.

Thirty years ago next summer it was my happiness first to meet him, in that place which has witnessed the beginning of so many of the best friendships of life, the College Yard at Cambridge. The beauty and charm of his character, the purity and elevation of his life, the exquisite refinement and delicacy of a nature which did not need the maturity of riper years to give it dignity and solid worth, and a rare blending of qualities which won at once the respect and the affection of his associates,—all these were as marked in the college boy as they have been in the Christian gentleman whom we all have held in special regard, whom they who knew him best have esteemed most deeply. In him, as truly as in any one that I have known, “the boy was father of the man.”

From that day to this, his life has been rooted and chiefly spent in Cambridge, whose literary and scholarly atmosphere seemed to be far more an air native to him than that of the eager, prosperous, and splendid Western city of his birth, which had hardly then assumed the character of a capital in the gracious refinements of art and music that have distinguished it pre-eminently in later years.

Our friend took excellent rank according to the college

standards of the day, though the tastes and aptitudes which always marked him, and which had begun to qualify him for the work which our Society would later offer him, had far less scope then than now within the austere lines of recognized college studies, and had to be chiefly pursued for their own sake rather than from any hope of reward or even recognition. The College never had a truer lover. It seemed as if he could not live content away from the sound of its familiar bell. Even the study in foreign universities, for which he went abroad after graduation, twenty-five years ago, could not long detain him from the banks of the Charles. Fortunate in having freedom to choose his own path in life, he made his home there. On the reorganization of the methods of administration in the University, in 1870, he accepted the position of Bursar; but its duties were not specially congenial to him, and he soon resumed the freedom to breathe "the still air of delightful studies," to which he has been able to devote himself as he would.

The close family ties in which he became related to our honored associate, Mr. Deane, gave him an opportunity of rendering valuable service to the publications of our Society for some time before he became a member of it; and his studies had long taken more and more a special direction in the line of our chosen fields of research. He was particularly versed in the early history of this country, and the less known portions of it; as, for example, the fascinating chapter of facts, stranger than romance, which is opened in the discoveries and adventures of the Spanish explorers; and if he might have been longer spared to us, he would undoubtedly have been recognized as an eminent authority on these subjects, in which his learning and the balance and judicial temper of his mind eminently qualified him to take a leading place among our scholars.

By a natural fitness, then, he became a member of this Society in 1877, and very shortly after, on the retirement of Mr. Deane from the position of Recording Secretary, he was elected to succeed him. Never was a choice more fortunate. It was not an easy place to fill; its necessary duties are considerable; its indirect opportunities of labor, accurate, painstaking, critical, are boundless; and no one here needs to be told how these difficulties had been enhanced by the way

that they had been fulfilled by his predecessor, to whom this Society owes a lasting debt. All the scholarly qualifications of Mr. Dexter found a large scope in the direct and indirect work of his official duty here. No one who has not tried something of it can form the faintest estimate of the amount of labor required for the proper editing of such a class of literary work as is contained in one of the volumes of the Proceedings of this Society. The editor should be able to advise as an expert in every subject treated; and often a very considerable part of the value of the papers as published is due to the silent accuracy of his revising and completing pen, rather than to the author in whose name the contribution stands. In such labor there is abundant field for the nobler qualities which rise beyond the level of mere learning, however large and full, — generosity, unselfishness, real magnanimity. Our friend fulfilled in rare measure the noble motto of our seal, *Sic vos non vobis*; and the rich volumes in which our Proceedings and Publications during the few years of his service as Recording Secretary and upon our Committee of Publications are hived, are in no small degree a monument, not alone to his intellectual, but still more, in these ways, to his moral qualifications. I may be permitted to speak from some personal experience of the delicacy of conscience and scrupulous care to give more than proper credit to others for what properly belonged to him, which characterized his method of editorial work. He would devote hours and make special journeys to investigate points which needed to be elucidated in the paper in hand, would embody in a footnote what was absolutely the result of his own work, and then would append to it the initials of the writer of the paper, who never made the studies and never found out the facts, rather than run the slightest risk of claiming a shadow more than his due. Such traits, I say, rise into the moral atmosphere, and give some indication of the genuine and noble character.

Not often has our Society lost one whom it could so ill spare, who was so ready and able to give it the laborious service which it demands, from a few at least, in order to maintain the standard of its own past; not often one worthier of our remembrance for his blameless and gentle soul, the beauty and dignity of his personal character, the sweet-

ness and refinement of his nature, the patient cheerfulness of his constancy in facing the steady advance of the shadow over a life in which there was so much to live for, with a courage which we have all seen and known here,—and for the trust and serene submission of his religious faith as a child in the hand of his loving Father.

Mr. SMITH added his testimony, as follows:—

It is with a deep feeling of personal loss in the death of Mr. Dexter, that I rise to add a few words of grateful remembrance to what has been so well and so truly said of him. My acquaintance with him did not date from an early period. But after he was elected a member of this Society, our relations became very intimate, and scarcely a day passed when we did not see each other. In that frequent and unreserved intercourse no one could have failed to be strongly impressed by the extent and accuracy of his information, by the candor of his judgments, and by his many attractive qualities as a man. He was peculiarly fitted for the duties which devolved on him as Recording Secretary and Chairman of the Committee for publishing our Proceedings; and he thoroughly enjoyed them. A good classical scholar and familiar with several of the modern languages, a wide reader, with habits of diligent and exhaustive research, and with a rare freedom from prejudice, he was specially interested in the pursuits for which this Society was founded. The office of Recording Secretary had been filled for thirteen years in a manner which, as we all know, had made it very difficult to find a successor whose best efforts would not seem little better than a failure. But Mr. Dexter brought to the duties of the office, for which he had been selected before he became a member of the Society, qualifications of the first order. He had abundant leisure, a retentive memory, methodical habits, scrupulous accuracy in statement, and a sound judgment; and the volumes edited by him will not suffer by a comparison with the nine admirably edited volumes which preceded them. As a writer he had an easy and polished style; and the numerous communications which he made to the Society were always interesting and of permanent value. All this every member quickly learned to appreciate; but it was in the consultations of the

Publishing Committee, and in the freedom of personal intimacy, that Mr. Dexter's rare qualities were best shown. Here every matter relating to the Society and the Proceedings was considered; and on no subject was there ever the slightest jar or difference. On other topics of discussion we often differed widely; but it was always with perfect good-humor and mutual respect. No one who thus knew Mr. Dexter could help feeling for him a warm and deep personal regard. In his early death the Society has suffered a loss which all must feel; but those feel it most who knew him most intimately, and who looked forward to many years of devoted and brilliant service. To them the memory of his spotless character, his genial and courteous manners, and his steadfast friendship will always be a precious possession.

The Resolutions were unanimously adopted.

The Hon. John E. Sanford, of Taunton, was elected a Resident Member of the Society.

Pamphlets containing the Remarks and Addresses made in commemoration of the four-hundredth anniversary of the birth of Martin Luther, were laid on the table for distribution among the members.

Mr. APPLETON remarked that he had nearly one hundred different medals which were struck in honor of Luther, who probably ranks fourth among the men who have been commemorated in this way, — Washington, Louis XIV., and Napoleon only taking precedence of him.

Dr. GREEN called attention to a copy of a short poem by Chief Justice Samuel Sewall, which he had recently seen. It belongs to Mr. John A. Lewis, of this city, — who has a remarkably fine collection of early Boston imprints, particularly rich in Mathers, — and was bound up with Sewall's "*Phænomena quædam Apocalyptica ad Adspæctum Novi Orbis configurata*." The poem was published, anonymously, as a small broadside, and does not appear in Mr. Sibley's bibliographical list of Sewall's works. The author alludes to it, in his *Diary* (vol. ii. pp. 27, 28), under date of Jan 2, 1700-1, where he gives three stanzas which vary somewhat from the corresponding ones in the broadside. Kettell, in his "*Specimens of American Poetry*" (vol. i. p. xiv), cites it, and says that it is "the earliest specimen we have of that sort of occasional composition." It is as follows: —

WEDNESDAY, *January 1, 1701.*

*A little before Break-a-Day, at Boston of the Massachusetts.*

**O**NCE more! Our GOD, vouchsafe to Shine:  
Tame Thou the Rigour of our Clime.  
Make haste with thy Impartial Light.  
And terminate this long dark Night.

Let the transplanted English Vine  
Spread further still: Still Call it Thine:  
Prune it with Skill: for yield it can  
More Fruit to Thee the Husbandman.

Give the poor Indians Eyes to see  
The Light of Life: and set them free;  
That they Religion may profess,  
Denying all Ungodliness.

From hard'ned Jews the Vail remove,  
Let them their Martyr'd JESUS love,  
And Homage unto Him afford,  
Because He is their Rightfull LORD.

So false Religions shall decay,  
And Darkness fly before bright Day:  
So Men shall GOD in CHRIST adore;  
And worship Idols vain, no more.

So Asia, and Africa,  
Europa, with America;  
All Four, in Consort join'd shall Sing  
New Songs of Praise to CHRIST our KING.

Mr. WINSOR mentioned that the Hon. J. Russell Bullock, of Bristol, Rhode Island, had recently sent to him a contemporary copy of Dr. Benjamin Church's account of his trial at Watertown in 1775. The copy seems to have been made by William Bradford, Jr., son of Lieutenant-Governor William Bradford, of Rhode Island, for that gentleman, who is said to have counselled Church in his defence. Judge Bullock's father received it from Governor Bradford himself. The Society has another copy, likewise contemporary; but apparently not



in the hand of Church himself. From this copy the paper was printed in the first volume of our Collections. Mr. Winsor had cursorily examined the two, and thought they were identical. He mentioned this Bradford copy now, that there might be made a record of its existence, and of another contemporary manuscript copy, preserved among the Sparks Manuscripts in the College Library.

Mr. A. B. ELLIS read the following paper, entitled "American Patriotism on the Sea:"—

At the outbreak of the Revolutionary War, the American colonies had neither vessels of war nor the supplies necessary to fit them out. Although the natural resources of a rich and undeveloped soil afforded abundant and unsurpassed materials for ship-building, and the seaport towns were inhabited by numbers of skilled workmen able to make use of them, no attention had as yet been paid to the advantages thus offered for the construction of vessels especially adapted for warlike purposes. Previous to the declaration of hostilities, and from earliest times, trading had been carried on by the colonies with foreign nations; but as their commerce had been well protected by the naval force of the mother country, no occasion had arisen for providing further means of defence at their own cost. After the war broke out, and during the greater part of the year 1775, Congress was so busily employed gathering supplies for the army that neither time nor money could be spared for other purposes. The British navy, on the other hand, as is well known, at this period and as it were by heritage, claimed precedence over that of every other nation. At this time it is said to have numbered three hundred and fifty-six vessels, one hundred and forty being "of the line." An American navy, in other words, did not exist; while England, in spite of her many enemies, could send a well-equipped and powerful fleet of vessels against her rebellious subjects.

The means of supplying the deficiency in this important branch of the service were very limited. With the exception of a few armed schooners and other small craft in the employ of some of the separate governments, no force was directly available to press into the service of the united colonies.

Fortunately for the safety of American vessels engaged in foreign trade, most of them were warned in time to avoid being taken by seeking refuge in neutral harbors. But the risk of capture was of small consequence compared with dangers which threatened the safety of the colonies nearer home. British cruisers and men of war were on their way towards the New England coast. Many were already in these waters, hovering about and threatening unprotected towns and villages on the sea-board. Transports heavily laden with supplies of all kinds for the use of the British forces were daily expected. In short, all the resources of a great and powerful navy were to be speedily employed by the mother country against her scattered colonies. The situation of the New England colonies soon made them realize the critical condition of affairs, and the necessity of providing for their own protection without waiting for the aid of the General Government. Among others, Massachusetts is credited with making special exertions for supplying the need of public armed vessels. On Nov. 13, 1775, "in the sixteenth year of the reign of George the Third, King," the Legislature of Massachusetts, sitting at Watertown, passed an act, "the first of its kind in America," the authors of which were Vice-President Gerry and Governor Sullivan, the former preparing the preamble, and the latter the special provisions, "for encouraging the fitting out of armed vessels to defend the sea-coast of America, and for erecting a court to try and condemn all vessels that shall be found infesting the same."<sup>1</sup>

Previous to this enactment, according to the "Salem Gazette" of Aug. 10, 1775, the Continental Congress had passed a resolution "recommending that each colony at its own expense make such provision, by armed vessels or otherwise, as their respective Assemblies, conventions, or committees of safety shall judge expedient for the protection of their harbors," etc.; and it was no doubt in part due to this suggestion that the Government of Massachusetts passed the foregoing act.

It was only about a month previous to this enactment that the General Congress had been able to take any active meas-

<sup>1</sup> Clark's Naval History, vol. ii. chap. iv. p. 133.



ures for the employment of a naval force. On October 5 this body met, and, being informed that two unguarded British transports were on their way to Quebec loaded with powder and other military supplies, of which the continental troops were then in great need, chose a committee to consider whether anything could be done about capturing them. The committee reported, in substance, that it would be advisable to write to General Washington, informing him of the sailing of the vessels, and desiring him to apply to the Massachusetts authorities for the services of two armed schooners to be employed in their capture. The colonies of Rhode Island and Connecticut were also solicited for the same purpose; but only the vessels mentioned as belonging to Massachusetts seem actually to have served. In accordance with this report, General Washington wrote a letter, as requested, which resulted in the sailing of two armed schooners from the port of Beverly. One of these vessels, named the "Lynch," was of six guns and seventy-five men, and commanded by Nicholas Broughton as commodore; the other, the "Franklin," having four guns and sixty-five men, and commanded by John Selman. This was on Oct. 21, 1775, and is called "the first naval expedition of the Revolution." Although not successful in the special object of their voyage, these armed schooners captured ten other vessels, which were forthwith released, as according to the views which then prevailed, the colonies professed to carry on war, not against Great Britain, as represented by the king and his subjects, but simply against its ministers. Congress at first allowed the seizure of those vessels alone which contained supplies for the enemy, and did not sanction the capture of private merchantmen.<sup>1</sup>

The first action taken by Congress with a view to provide for a regular navy, equipped and ready for service, was on Dec. 11, 1775.<sup>2</sup> The committee reported on the 13th, and the resolution which they adopted stated "that five ships of thirty-two guns, five of twenty-eight guns, three of twenty-four guns, making in the whole thirteen, can be fitted for sea, probably by the last of March next; viz., in New Hamp-

<sup>1</sup> See letter from R. H. Harrison to William Glover, *Essex Inst. Coll.*, vol. v. p. 58.

<sup>2</sup> Clark, vol. ii. p. 31.

shire one, in Massachusetts Bay two, in Connecticut one, in Rhode Island two, in New York two, in Pennsylvania four, and in Maryland one." Then followed other provisions as to the cost of equipment and supplies.

While all these preparations were going on for the formation of a navy, Congress applied to committees of safety and councils of various colonies having armed vessels in their employ to engage them in the service of the General Government. Among others, the New England colonies were particularly active in affording assistance by enlisting both public and private armed vessels in response to the call.

Vigorous efforts were made by ship-owners to fit out every species of craft which could be set afloat with men and supplies. Volunteers, in great numbers, were induced to join the service. Among the promoters of this enterprise was General John Glover, of Marblehead, who, besides contributing supplies and securing enlistments for the army at his own expense, rendered valuable aid to the naval department. As a result of the efforts of patriotic men like Glover, the harbors and sea-coast of New England soon swarmed with private armed vessels. Every seaport town furnished its quota, whether great or small, from the New Bedford whale-boat and the Gloucester fishing-smack to the Salem frigate. "The first commissioned privateer of the Revolution" is said to have been "the schooner 'Hannah' of Beverly. Her papers, signed by Washington, were issued Sept. 3, 1775. The second was the schooner 'Lee' of Marblehead, her papers being made out in October."<sup>1</sup> Previous to these dates, however, many small craft had been enlisted which were not regularly commissioned. In an interesting letter published in the "New York Evening Post," for July 18, 1883, discussing, among other things, the exploits of those brave men who are known as the "whale-boat privateersmen of the Revolution," the writer refers as follows to their services:—

"To the student of old men and days, the whole region [of Long Island Sound] is storied, having been the scene of some of the most gallant deeds of the whale-boat privateersmen of the Revolution. It is singular that no more has been told of these men in history. Many readers are unaware of their existence; yet they formed an efficient

<sup>1</sup> Essex Inst. Coll., vol. x. p. 58.

arm of the Continental service, and may be regarded as the germ of the American navy. Long before Connecticut's war governor had placed on the Sound the 'Spy,' the 'Cromwell,' the 'Trumbull,' and other audacious privateers to capture the British store-ships, the whale-boat crews were abroad, anticipating them in the matter of taking stores, and making reprisals on the Tories who swarmed on the Sound shore of Long Island. The war found them already organized for the capture of the whale; and, leaving leviathan, they turned their attention to nobler game. Companies seem to have existed at this time at Stamford, Norwalk, Fairfield, Stratford, Derby, and New Haven; although Fairfield, a leader in the Whig movement, was the centre of operations.

"The whale-boats were well adapted to a predatory warfare. They were about thirty-five feet long, and were propelled by eight rowers. Each boat carried a large swivel as armament. Their operations were conducted swiftly and silently, usually at night. Sometimes a British fort or magazine on the island was the objective point; sometimes a Tory murder or outrage was to be avenged, or a prominent leader captured in reprisal; again, a supply-ship or armed vessel was the object,—two of the latter having been captured and towed into Fairfield during the war. In all cases the leader mustered his men secretly, the boats pushed off at nightfall, rowed swiftly and silently across the Sound, struck their blow, and were out of reach of pursuit when morning broke."

W. P. Sheffield, in his "Privateersmen of Newport," mentions similar captures by volunteer forces in row-boats or galleys in the harbor of Newport, one of them as early as June 13, 1775.

Among the most important services of the early privateersmen was the capture of supplies sent over for the use of the British army. The frequent seizure of transports loaded with military stores of all kinds, including uniforms and ammunition, was of great service to the wretched American forces, who were almost destitute of the means of subsistence. During the siege of Boston especially, and after the evacuation of the town by the British, the army suffered severely for want of supplies. Beside the lack of food the soldiers had very few tents and no knapsacks. Their stock of arms consisted chiefly of odd assortments of muskets of all kinds and sizes. Powder was scarce, and bullets, of course, varied in size according to the calibre of the weapon for which they were moulded. Some of the cannon which they used during the siege were dragged all

the way through the wilderness from Fort Ticonderoga, where they had been captured by the British from the French and left unprotected. As to the scarcity of powder during the winter of 1775, it is said that the American army at one time had but seven cartridges for each man. "Our situation in the article of powder," writes Washington to Congress, "is much more alarming than I had the faintest idea of." "The word *powder* in a letter," writes another, "sets us all on tip-toe." Another writes: "The bay is open; everything thaws here, except old Put. He is still as bad as ever, crying out for powder, powder. Ye Gods, give us powder!" If it had not been for the want of powder, Washington would not have delayed so long in dislodging the British from Boston. Various laws and proclamations were made to prevent the waste of this precious commodity. Scientific experiments even were resorted to, but without much success, to supply the deficiency. In short, every effort was made to relieve the general distress. In this desperate state of affairs the rich spoils which were captured by volunteer crews were of the utmost benefit to the army. "But there is another point of view," says a writer in the "Salem Gazette" of June 9, 1840, "in which the efforts of privateersmen may be seen to have been extremely advantageous to the country. I allude to the munitions of war, stores, clothing, etc., which through their exertions were brought into the country at a time when the army was suffering for them, and in all probability could not have been kept together without them,—the very munitions of war which were intended for the British forces, but which, thanks to the privateersmen, were wrested from them, and thus made to support the very cause which they were originally sent to pull down."

The abundance and variety of the articles included in the lists of captures show that the American forces must have been literally clothed, armed, and fed, for a time at least, with the spoils of the enemy. Almon, in his "Remembrances," gives a list of the prizes taken. Perhaps the earliest and most authentic accounts of some of these exploits are contained in the newspapers of the day. The files of the "Salem Gazette," especially, afford much information concerning the successful ventures of these early privateersmen, as the following extracts will show:—

Sept. 9, 1775. "Last Saturday a privateer belonging to Newburyport carried into Portsmouth a schooner of forty-five tons, loaded with potatoes and turnips intended for the enemy in Boston.

"In November, 1775, the 'Lee,' privateer, Captain Manly, took the brig 'Nancy,' an ordnance ship from Woolwich, containing a large brass mortar, several pieces of brass cannon, a large quantity of arms and ammunition, with all manner of tools, utensils, and machines necessary for camps and artillery. Had Congress sent an order for supplies, they could not have made out a list of articles more suitable to their situation than those thus providentially thrown into their hands. In about nine days after [this capture], three ships with various stores for the British army, and a brig from Antigua, with rum, were taken by Captain Manly. Before five days had elapsed several other ships were captured. By these means the distresses of the British troops in Boston were increased, and supplies for the Continental army were procured."

Dec. 7, 1775. "On Wednesday morning, last week, Captain Manly, in the 'Lee,' vessel of war, in the service of the United Colonies, carried into Cape Ann a large brig called the 'Nancy,' which he took off that place, bound from London to Boston, laden with about three hundred and fifty caldrons of coal; and a quantity of bale goods, taken by Captain Manly, was carried into Salem. She is about two hundred tons burthen, and is almost a new ship. Several vessels loaded with fuel, provisions of various kinds, &c., bound to Boston, have been carried into Salem and Beverly within a few days past."

Dec. 21, 1775. "Captain Manly has, within a few days past, taken another valuable prize, a sloop from Virginia bound for Boston, loaded with corn and oats; fitted out and sent by Lord Dunmore."

"On the 25th of December last [1775] was taken by a Plymouth privateer and carried in there a small sloop from New York, Moses Wyman, Master, laden with provisions for the ministerial army in Boston, consisting of thirty-five fresh hogs, one hundred barrels of pork, fifty barrels fine New York pippins, twenty firkins hog's fat, some quarters of beef, turkeys, &c., &c."

"Last Tuesday sennight, Captain House, with four whale-boats, took and carried into Barnstable a sloop of one hundred and fifteen tons burthen, bound from La Have for Boston, laden with beef, hay, potatoes, and turnips." (Jan. 19, 1776. This issue mentions two "other captures by Manly last Thursday.")

March 6, 1776. "A few days since, the 'Yankee Hero' sent into Newburyport another prize, a fine brig of about two hundred tons burthen, laden with coal, cheese, &c., bound for White Haven, for the use of the ministerial butchers, under the command of General Howe, Governor of Boston. This is the fifth prize out of eight which sailed

from the above port, and we are in hopes of giving a good account of the three remaining."

March 14, 1776 (three days before the evacuation of Boston). "We hear that a transport brig of sixteen guns, laden with naval stores and provisions bound from Boston for the ministerial fleet at the southward" was taken. A ship of two hundred and forty tons also captured by Captain Manly about this time was shipped with "six double fortified four-pounders, two swivels, and three barrels of powder," while the cargo consisted of "one hundred and seventy-five butts of porter, twelve packages of medicine with large quantities of coal, sour-kROUT, &c., besides a great number of packages for the officers in Boston. She also brought out sixty live hogs, but only one of them was alive when she was carried in."

In June, 1776, two ships, one of three hundred and fifty tons and the other of four hundred and fifty tons, loaded with large quantities of rum, sugar, spices, &c., were taken.

The above is not offered as a complete list by any means, but only, as before remarked, to indicate the abundance and variety of the articles captured.

According to Clark in his "Naval History of the United States," "the number of British vessels captured entering Boston Harbor from the 13th of November, 1775, to the evacuation of the town by the British, on the 17th of March, 1776, amounted to thirty-one, their tonnage to 3,645 tons."

Some of the richest spoils were seized just at the entrance of Boston Harbor, shortly after the evacuation of the town by the British troops. In the hurried embarkation which formed a necessary accompaniment of that withdrawal, those whose duty it was to foresee and provide for the consequences which it involved, took hasty measures to warn the supply ships which were expected to arrive at any moment to keep away from the coast. For this purpose, before leaving the outer bay or harbor, signal ships were stationed to perform this duty. Whether the precautions thus adopted were the best which the occasion afforded, taking into consideration even the hurry and confusion of their departure, is at least open to question. Of course no tidings of the departure of the army from Boston had reached the other side of the water. However that may be, the result proves that the measures were lamentably insufficient. For two or three months these floating sentinels remained on duty, and doubtless saved some of the transports



from falling into the clutches of the lurking privateersmen. But after lingering for this brief period in these waters, annoyed on every side by provincial batteries and stray cruisers, the last of them set sail and disappeared in the month of June, 1776. The harbor and neighboring sea-coast were then left to the mercy of the privateersmen. Then, indeed, "our little navy had a revel in its prize-takings." No sooner had the belated transports arrived off the coast or in the harbor where they saw two ships anchored in conspicuous positions, still flaunting at their peaks the Union Jack, as if to assure them that all was well and they might safely enter, than one by one the Yankee volunteer ships pounced upon them and relieved them of any further anxiety in the matter. In this way numbers of richly laden transports, containing a great variety of military stores, were seized and appropriated for the support of the Continental forces.

It has been said that "very few of the writers and orators on our Revolutionary history have sufficiently magnified the work of the privateersmen in promoting the success of the cause," those men who sacrificed so much for the good of the country. No doubt much of this neglect arises from the impression that privateering is only a species of piracy, legalized though it may be, and that the practice of such a calling carries its own reward. This view of the subject at all events has largely prevailed. In spite of the sanction which until lately has generally been accorded to privateering by civilized nations, it is associated in most minds with thrilling stories of the sea, in which the black flag figures prominently. The enormous profits which are supposed to have been derived from the calling have only served to heighten this impression, and, from the very uncertainty as to the amount actually realized, added to it a still stronger piratical flavor.

If the full truth were known, however, privateering during the American Revolution at least was not such a profitable business as has generally been supposed. Stories are still told of the immense fortunes realized out of their ventures by merchants in Salem, Newport, Baltimore, Boston, and other centres of trade. For instance, as one writer says, "the great fortune solemnly dedicated by Stephen Girard to pious uses is often said to have had its foundation in privateering." The same remark has been frequently applied to other accumula-

tions as well as private fortunes. But these are the exceptions, and apply only to the owners of vessels, who of course received the lion's share. As for the men themselves who engaged in the calling, what with duties of Government agents and other expenses, commissions, and charges, the profits to them were often very small.

As to the practice of privateering, the greatest difference of opinion of course has always prevailed. Benjamin Franklin was strongly opposed to it as a means of annoying the enemy, "and procured an article against it to be inserted in one of our treaties with European powers." In his "Observations on War" he says of merchants and traders in unarmed ships "that they deserve the protection of both sides, because they accommodate different nations by communicating and exchanging the necessities and conveniences of life," adding that "it is for the interest of humanity in general that the occasions of war and the inducements to it should be diminished." On the other hand, Colonel Timothy Pickering, who held, among other high offices during the Revolutionary War, the office of Commissioner of Prize Claims brought before the Massachusetts Court of Admiralty, was of an opposite opinion. In his manuscript diary in the possession of the Massachusetts Historical Society he says:—

"I well remember that when John Quincy Adams, American Minister to Prussia, was negotiating in 1799 a renewal of Franklin's treaty of 1785 (Jefferson and John Adams were united with Franklin) contracted with the Great Frederick II., the Prussian Ministers desired to introduce an article to prohibit privateering, which J. Q. Adams stated in his letters to the Department of State; and the President, John Adams, was disposed to assent to the request: but I (then Secretary of State) opposed it, and on this ground,—that, as the United States had but a very small naval force, their means of annoying a maritime enemy would depend principally on private armed vessels. To the best of my recollection the Prussian Ministers persisted in their demand, and that this was communicated to the President as before, and that he was inclined to give way; but I persisted to oppose the President, and finally declined to yield to the Prussian demand; and so privateering remained on the common footing.

"In the original treaty, too, of 1785, free ships were to make free goods; but this also was abandoned in the treaty of 1799. See the reason assigned in the twelfth article.



"Nevertheless, John Quincy Adams, become President of the United States, when submitting to Congress the project of the Panama Mission, proposed, among other objects, to negotiate for the abolition of privateering, and that free ships should make free goods; the mischiefs of which latter proposition were well exposed by Francis Baylies, in his address to his constituents of Bristol County, dated Oct. 2, 1826, as published in the 'Columbian Reporter and Old Colony Journal,' Oct. 11, 1826,—all stipulations with the new Spanish American States, to control the international laws of Europe on the above two points and concerning blockades, would be futile, if not ridiculous."<sup>1</sup>

At a conference of the great European powers, including Great Britain, Prussia, France, Russia, and Austria, called together in March and April, 1856, for quite another purpose, namely, to ratify the treaty of Paris, just as the proceedings were drawing to a close, France proposed the following articles relating to privateering, which were unanimously adopted:—

- "1. Privateering is and remains abolished.
- "2. The neutral flag covers enemy's goods, except contraband of war.
- "3. Neutral goods, except contraband of war, are not subject to seizure, except under the enemy's flag.
- "4. Blockades are not binding, except so far as they are effective."

M. Émile Carron, in a very able and interesting article on "La Course Maritime," published in the "Journal Le Monde," about the year 1875, reviewing the whole subject of privateering and the position which France had always taken prior to 1856, writes of what was said at the convention:—

"Most of the plenipotentiaries present said nothing in answer to the proposition, not being sufficiently instructed, as they thought, to express an opinion.

"Lord Clarendon and Baron Manteuffel alone appear to have a settled opinion. The first speaks with assurance; he declares that England is wholly disposed to give up forever in favor of neutrals the principles which, up to this day, she has invariably maintained. He holds privateering to be organized and legalized piracy; declares that privateers are one of the greatest plagues of war; and closes by saying that our condition of civilization and culture requires that there should

<sup>1</sup> Pickering MS. Memoranda, vol. ii. p. 109: July 9, 1828.

be an end to a system which is no longer in keeping with our time. The Prussian Plenipotentiary is of the same opinion. These maritime laws which this Congress is invited to adopt, Prussia has always professed and has constantly endeavored to make them prevail. Baron Manteuffel expresses the conviction that his sovereign would not refuse his assent to the accord which would be established in this way between the plenipotentiaries."

Carron then adds: "Eight days afterwards, the 16th of April, 1856, the declaration proposed by France, and so firmly supported by the English and Prussian plenipotentiaries, was adopted by the congress without discussion, without observation, in silence." "The great interest," the writer continues, "attaching to this declaration is in the first article. Now, I would like to prove that abolishing privateering injures France, without preserving the fixed interests of civilization and human progress." The article then proceeds to discuss in detail the subject of privateering, strongly defending the practice, and alluding in glowing terms to the bravery and enterprise of French privateersmen from earliest times.

The United States although invited to join in signing the declaration above referred to, through their Secretary of State, Mr. Marcy, formally declined to do so. President Pierce expressed an opinion in substance favoring the second and third article, stating that no one could dispute the fourth, but wishing to qualify the first by adding the following amendment: —

"And that the private property of the subjects or citizens of a belligerent on the high seas shall be exempted from seizure by public armed vessels of the other belligerent, except it be contraband."

In other words, he wished to go further, and exempt private property from seizure in any case, whether by public or by private armed vessels, although at the same time leaving the right of blockade untouched.

All the great modern writers on international law have recognized a distinction between operations on the sea and by land, as regards the capture of private property. Wheaton and Kent both lay down similar rules. The former, in his "Elements of International Law," writes as follows: —

"The progress of civilization has slowly but constantly tended to soften the extreme severity of the operations of law by land; but it still remains unrelaxed in respect to maritime warfare, in which the private property of the enemy, taken at sea or afloat in port, is indiscriminately liable to capture and confiscation. This inequality in the operation of the laws of war, by land and by sea, has been justified by alleging the usage of considering private property, when captured in cities taken by storm, as booty; and the well-known facts, that contributions are levied upon territories occupied by a hostile army, in lieu of a general confiscation of the property belonging to the inhabitants; and that, the object of wars by land being conquest, or the acquisition of territory to be exchanged as an equivalent for other territory lost, the regard of the victor for those who are to be or have been his subjects naturally restrains him from the exercise of his extreme rights in this particular; whereas the object of maritime wars is the destruction of the enemy's commerce and navigation, the sources and sinews of his naval power, — which object can only be attained by the capture and confiscation of private property."

Kent, in his Commentaries as to "the rights of belligerent nations in relation to each other," concurs with the foregoing, but observes that there are some qualifications necessary to prevent abuse. In short, neither of these great writers can be said to favor the practice.

The practical solution of the question perhaps may be found in the introduction of steam navigation. Sailing vessels of light draught would of course be of little avail against steel or iron cruisers propelled by this motive power. Private persons, even if they could afford it, would find it difficult to obtain either suitable vessels or supplies necessary to overcome them.

But whether the practice of privateering may be justified or not, it seems but right that a fair measure of praise should be accorded to those who, at a time when all these improvements and enlightened opinions were unknown, did their duty without hope of any great reward, nobly and well, and in obedience to orders. This was the case with the American Revolutionary privateersmen. The calling which they engaged in was strictly legal, sanctioned by Government; and if any profits were realized the slight benefit derived in that way ought not to detract from the value of the services which they rendered.

The volunteers of the American navy perhaps did as much for the success of the cause as those brave leaders who fought the early battles on land. It may be true, as has been said, that privateersmen "contributed as much if not more than any others to establish our liberties and the inestimable blessings which we now enjoy."

At all events, the daring exploits of such men as Manly, Mugford, Tucker, and Whipple, and other leaders in New England waters, who by their pluck and perseverance succeeded in securing supplies for the sustenance of the army at a critical period in its existence, deserve a wider recognition in history than they have yet received. These men were the pioneers of the navy; and those whom they led to victory, instead of being known by the piratical name of privateersmen, and categoried with the Barbary corsairs and the "sea-dogs" of the olden time, ought rightfully to be called "the militia of the sea," the volunteers of the American navy.

Admiral PREBLE exhibited a pictorial chart, which professed to give the origin of the American flag, and said:—

Last February, I received a note from Mr. Edward W. Tuffley, calling my attention to an article written by him for the "Brooklyn Eagle," on the origin of our stars and stripes, and asking me where the two watch seals of Washington could be seen. Soon after he sent me the chart I now present to the Society, on which he has proved, to his own satisfaction, that Washington's arms were the origin of the stars and stripes on our flag. He has since published an illustrated article to the same effect in the "St. Nicholas," a magazine for young folks. His chart has since been used for advertising purposes by a New York Life Insurance Company.

I wish to place on record my dissent from his theory, which is a popular but not a new one. Lowes, an English antiquarian, made the suggestion many years since; and it was repeated by Mr. Haven in a paper read before the New Jersey Historical Society in 1872. I have paid some attention to the origin of our flag, and after a diligent search of the writings of Washington and of his contemporaries, have not been able to find a single allusion by him or them to the subject. Had our stars and stripes been copied from his arms, Washington would have been proud of the fact, and have

mentioned it in his conversation or his correspondence. The stripes were first placed on the English red ensign, as a mark of distinction, and as an emblem of the union of the thirteen colonies against the oppression of England. The thirteen white stars on a blue firmament were, in the words of the resolution establishing them, a year after the Declaration of Independence, "a new constellation," indicating the birth of a new nation.

As late as May 2, 1792, Washington wrote to Sir Isaac Heard, Garter King at Arms, that the subject of genealogy was one to which he had paid very little attention, but that the arms enclosed in Sir Isaac's letter were "the same that are held by the family here." The three mullets or five pointed stars on the Washington arms are red on a white or silver shield. The arms of William Lord Douglass have in chief azure, three white or silver stars, with the red and white bars beneath, which is much nearer the devices of our flag.

Mr. Tuffley, in his letter to me, writing about the pedigree of Washington and his chart, says: "You probably knew Colonel Chester, — he died last spring; in a letter he wrote me shortly before his death, he said he had searched England, from the Tweed to the English Channel, and from the German Ocean to the Atlantic, and had failed to discover the ancestors of Washington, — the common lot of unbelievers in general, I believe," adds Mr. Tuffley. I for one, however, would rather accept the research of Colonel Chester, until there is proof positive to the contrary, which has not yet been furnished.

The only connection Washington is said to have had with our flag is a doubtful one. Mr. Canby, in 1870, read a paper before the Pennsylvania Historical Society, in which he asserted that his grandmother, Mrs. John Ross, who was an upholsteress and maker of flags, made the first pattern flag, of stars and stripes, and that a committee of Congress, *accompanied by General Washington*, waited upon her in June, 1776, with a design; that this design had stars of six points, which at her suggestion were changed to stars of five points. The stars and stripes were not, however, adopted until June, 1777, a year later, and the resolution of Congress was not promulgated until September of the same year.

Mr. HIGGINSON presented a cabinet photograph of John Randolph, of Roanoke, in early youth, from a portrait by Stuart, preserved in the Coleman family of Williamsburg, Virginia. The picture, he said, is mentioned by Mr. Henry Adams in his recent *Life of Randolph*; and at Mr. Adams's suggestion application was made for a photograph to Mr. J. R. Bryan, of Fredericksburg, Virginia, the adopted son of the eccentric statesman. Mr. Bryan kindly responded by sending one; and the picture proved to be so fine that it has been re-photographed, and twelve copies made, of which this is one.

The portrait was quite unknown to Mr. George C. Mason, of Newport, Rhode Island, author of the recent *Life of Stuart*, nor is it included in his catalogue of the works of that artist. He, however, thinks it one of Stuart's best pictures; and such is the judgment of those most familiar with his paintings. There is a peculiar and luminous beauty in the eyes; and the whole effect is singularly in contrast with the traditional appearance of Randolph in later years. There is a clumsiness about the hands, not uncommon in Stuart's pictures. Mr. Bryan thinks that the work was executed "in the early part of this century;" but that seems incompatible with the youthfulness of the face, which seems to represent a youth of eighteen or nineteen, although Randolph was born in 1773. It would add another curious trait to his singular personality, if we could suppose that he could have sat, at twenty-seven, for a likeness such as this.

## FEBRUARY MEETING, 1884.

The stated meeting was held on Thursday, the 14th instant; the President, the Hon. ROBERT C. WINTHROP, in the chair.

The record of the last meeting, read by the Recording Secretary, was approved.

The gifts made to the Library during the past month were reported by the Librarian.

A letter from the Hon. John E. Sanford, accepting his election as a Resident Member, was communicated by the Corresponding Secretary.

The PRESIDENT then spoke in these words:—

I shall spare you, Gentlemen, and spare myself, from any formal introductory remarks this afternoon, and pass at once to the presentation of several gifts to our Society which have recently reached me.

The Mayor of Charleston, South Carolina, — the Hon. William A. Courtenay, — has sent me for our Library a copy of his private edition of the "Porter Memorial," of which only a hundred copies were printed. It contains the admirable tribute of my friend, Judge George S. Bryan, of the United States Circuit Court, and of many others of the distinguished citizens of Charleston, to the memory of William Denison Porter, a jurist, orator, and scholar, of South Carolina, of the highest distinction, who died in his seventy-third year, on the 5th of January, 1883. His family were of Massachusetts origin, one of them having served in some of our earliest Revolutionary battles.

Here, in the second place, is a photograph of Henry Clay, one of our late Honorary Members, taken from a portrait of him at the age of sixty-five, by Willard, and sent to us by Mr. J. K. Porter, of this city, to whom the portrait belongs. But Mr. Porter has sent us a much more interesting and historical photograph of Mr. Clay, in his forty-fourth year, taken from an old and rare engraving, in which he is represented



holding in his hands the famous Resolutions for the recognition of the independence of the South American Provinces in 1821. This photograph gives a vivid idea of Clay as a young man, while he was Speaker of the House of Representatives of the United States, and exhibits on the table the same elegant silver inkstand into which I so often dipped my own pen a quarter of a century afterwards, and which is still on the Speaker's desk at Washington.

Here, in the next place, is a reminder of the Indian Tribes in our far West, to whom so much injustice was shown in former years, and from one of the most meritorious of whom, as good Bishop Whipple writes me in great distress, a scheme of taking away their lands, and robbing them of their homes by a forced purchase, is at this moment being arranged and executed at Washington. This, however, does not come from the Indians to whom Bishop Whipple has so devotedly ministered, but is an autograph of the great warrior "Sitting Bull," who not long ago was giving our Government so much trouble. The words to which he has subscribed his name, and which were taken from his own lips, recognize the law of the Great Spirit, and would have gratified good old John Eliot. It has been sent to us by Mr. Finotti, formerly the Italian Consul in this city, and now settled at Yankton, Dakota Territory.

Another autograph is next in order, and comes to us from a remoter region. It is a letter from no less a personage than the King of Siam, dated at his "Grand Palace" in Bangkok, and with his own signature, "Chulaloukorn, R. S." It is sent to us by General John A. Halderman, our United States Minister to Siam, who expresses the hope "that it may be found worthy of a framed space on our walls." It is the king's answer to an invitation from General Halderman to attend the opening of the late Foreign Exhibition in Boston, and is as follows:—

R 49/45

GRAND PALACE, BANGKOK, 8th May, 1883.

SIR,—I have received with pleasure your note inviting me, in the name of the Boston Foreign Exhibition, to be present at the opening of their grand exhibition.

Although I am not at present able to leave Siam, and so regret that I cannot accept this cordial invitation from a great friendly nation, I



highly appreciate the good will which inspired the invitation, and heartily thank your Excellency and those you represent.

With the assurance of my kindest regards,

CHULALOUKORN, R. S.

To His Excellency,  
GENERAL JOHN A. HALDERMAN,  
U. S. Minister to Siam, &c., &c. &c.

A more substantial and valuable gift comes next. It comes from Mr. William Minot, from whom we received the interesting bracelet of gold beads at our last meeting. It is a small portrait of Washington Irving, taken by Jarvis in 1808, and of which the costume and hands were painted by Washington Allston as late as 1835, at the request of his friend, William Sanford Rogers, a former purser of the United States Navy, a friend of all our old commodores, — Bainbridge, Hull, Morris, — and who, at his death, endowed a school which bears his name, in Newport, his native place. It represents Irving at twenty-five years of age, in the very year in which he published his "Knickerbocker," and is very much like one of the engraved portraits of him at the same age.

I am sure that you will all desire that grateful acknowledgments of these various gifts should be made by our Cabinet-keeper, and it will be so ordered. But still another gift will presently be announced by one of our associates, and I cannot forbear from saying a few words as to the source from which it primarily comes.

I hazard little, Gentlemen, in saying that, had it been conformable to the usages of our Society to admit ladies to our Resident Membership, our first attention this afternoon would have been called to some notice of the venerable Eliza Susan Quincy, who died at her residence in Quincy, on the 17th of January, in her eighty-fifth year. She was a remarkable person, full of historical reminiscences and of exact historical information. She had helped her excellent father, — so long our senior member, — by her pen and by her pencil, in all his literary labors. His charming Memoir of his own father, — the illustrious Josiah Quincy, Jr., of the Revolutionary period, — his elaborate "History of Harvard College," and his "Municipal History of Boston," owed not a little, as is well known, to her discriminating care and judgment. She helped others of her family, too, in their various biographical and literary

productions; and the recent volume of "Reminiscences" of the late Josiah Quincy abounds in passages from her careful diary. Our own Society, as well as its individual members, have had frequent reminders of her thoughtful consideration and regard; and her contributions to our Proceedings and archives have been numerous and valuable. Our Cabinet, too, is indebted to her for the splendid gorget of Washington, worn by him as a British colonial officer, which has a fit place at the side of the epaulets worn by him during the Revolutionary War.

I do not propose to dwell upon her character and accomplishments; but I was unwilling that another gift from her should be presented to us by her nephew until I had made this brief mention of her death, and of the respect and warm regard in which she was held by us all.

Mr. J. P. QUINCY then rose, and made the following remarks:—

I have here certain manuscripts, of which a list has been furnished to the Librarian, that are bequeathed to the Massachusetts Historical Society by the late Miss E. S. Quincy. Although the life of this lady was wholly a private one, her original research upon subjects connected with New England history, and the preservation by her pencil of so many interesting landmarks of the past, may justify me in adding a few words to the remarks of the President.

Miss Quincy's life — eminently beautiful and successful as it was — was the product of conditions gone by, and little likely to return. She was content in never overstepping the limits by which, rightly or wrongly, the judgment of our ancestors bounded the region of woman's activity. Her solid intelligence and desire for beneficent exertion did not cause a restless reaching after new theories of society, nor was she constrained to demand the admission of feminine voters to the caucus and polling-room. Deeply appreciating what had been accomplished by the men who created the American nation, she was willing that new achievements should be made on the familiar lines. The town of Boston, in which she was born, was something more than an emporium of trade, or a swarming-place of foreign voters ready for the political boss.

The government and social leadership of the community were held by a small circle of moral and intellectual prominence. In the town, and afterwards in the young city, there was a conspicuous nucleus of wisdom which accepted a wholesome responsibility for the good behavior of the majority. Miss Quincy entered this best society, determined to win for herself such opportunities of culture and usefulness as it might afford. Possessing in large measure the feminine quality of receptiveness, and constantly meeting the great personages of the country, she absorbed the atmosphere which surrounded them. Familiar intercourse with John Adams, Timothy Pickering, and other survivors of the Revolution, as well as with such contemporaries as the second President Adams, Judge Story, Webster, Everett, and Ticknor, gave this lady an education bearing some resemblance to that of a citizen of ancient Athens. She showed the superiority—in important respects, at least—of the cultivation which comes from hearing the thoughts of powerful minds orally expressed, over the memorizing of printed words which we accept as its substitute. Her journals quickly appropriated the sound reflection or interesting information which she knew how to elicit by pertinent questions. She understood that art of good reporting which gives the essential color of the past by putting the fancy under proper restraint to what may be called the prosaic conscience. The scenes connected with the proclamation of peace in 1815, and the account of the visit of the Duke of Saxe-Weimar in 1825, are published specimens of her success in easy descriptive writing. A journal kept during the visit of Lafayette—which is among the manuscripts now given to this Society—is a trifling sample of her voluminous contributions to this entertaining literature.

Miss Quincy was her father's constant assistant in his literary and political labors; and to a man necessarily so immersed in the present her accurate memory of what had been was of the greatest advantage. In deriving so much of her happiness from service of, and sympathy with, men whom she had reason to respect, Miss Quincy was very near the ideal of womanhood according to the old standard. Her life moved among individualities which seemed more massive and impressive than those we encounter to-day. Doubtless, to the modern woman of her intelligence, her deep inner contentment

with contracted opportunities of influencing the world would be impossible. And so I must emphasize the fact that not only was she satisfied with what her tireless industry enabled her to do for herself and others, but was especially grateful for the place and period in human history in which her life had been cast. For none saw more clearly that the world must now grapple with problems of a complexity as little anticipated by the robust minds of her early association as they anticipated the railroad and the telegraph. It was good, she thought, to have lived when a woman's duty in the social organism was so clearly defined that her path was exempted from confusion and unrest. It was good to have lived when Channing's warm and benignant light was thawing the frost-bound soil of Puritanism, and yet before the doctrines of Darwin and Spencer challenged beliefs associated with the tenderest human sentiment, even if they are not necessary for the moral progress of the race.

But I have said enough of one who shunned all appeals to public approbation, being satisfied with the grateful recognition of those immediately surrounding her. So far as the practical worth of example goes, that life seems best worth living which shows how much moderate talents may accomplish when directed by a realizable aim, and placed under the pressure of constant industry. No better lesson than this is to be learned from the stretch of eighty-five years of which I have spoken. Even while we utter sincerest words in commemoration of the departed, there is an underlying consciousness of the fact that the world is not embarrassed by the loss of any life, since its place can easily be filled. Yet, now and then, an existence germinating from unusual ancestral conditions and controlled by exceptional circumstances, occupies a place so unique that no other existence can be found to fit into it. I think that those who knew Miss Quincy will agree with me that her life may be so described. It is rare that the complex forces which create a high type of feminine character are expended in a feminine career so beneficent, yet so unobtrusive, so harmonious and complete.

At the conclusion of these remarks a Resolution, expressing the deep sensibility of the Society on receiving this bequest, was unanimously adopted, and Dr. Ellis was requested to

prepare a suitable statement for the Proceedings, which is here printed : —

Our President has assigned to me a grateful office, which I gladly discharge, in asking me to furnish for our records a recognition of the gift made to this Society in the deposit with us of valuable papers by the late Miss Eliza Susan Quincy.

Apart from the intrinsic value of the papers themselves, they would be appreciated as of interest for us because they are the results of the diligent, intelligent, and well-applied labor, continued for more than half a century, of a lady in an elevated station of life, of remarkable endowments, of most gracious and attractive manners, and who enjoyed rare opportunities of acquaintance and converse with many important events and incidents, and with persons of high distinction in both public and private life. Those of us who have been longest in the membership of this Society have felt that though the name of Miss Quincy could not, according to our usage, be upon our rolls, she was really associated with us in the higher relation of a patron. Her venerated father was so long our Nestor, the family name was so familiar in all our local history, and so worthily distinguished on the scroll of patriotism and varied public service, that her own inheritance from them and her special tastes and interests might well make her an invisible attendant on our monthly meetings. Her lengthened and highly privileged life was devoted with a singular earnestness to a special range of historical and biographical studies and writings.

The privilege of correspondence and intimacy of personal acquaintance with her, enjoyed by some of us, will ever keep in our remembrance the deep impressions of respect and esteem which her character, her culture, and the delightful charm of her old-school manners, refined, tranquil, and yet so animated, always inspired. One who would see her needed to seek her in the home sphere which she made us feel, rather than asserted, was the place of a woman. That term for her sex, sufficient in dignity for all who worthily bear it, naturally drew to it the prefix of *gentle* as becoming her own way of manifesting it. Yet it must be said that her home was one where were gathered and concentrated resources and influences for

the development and training of mind and character in all attainments and accomplishments, which in ordinary experience are found in the open range of the world only by wide and judicious intercourse. The national, civic, and academic offices filled by her father, whose sternness in fidelity and integrity won for him the epithet "Roman;" the honored traditions of her family represented in their generations by their portraits and relics; and the selectest social intimates frequenting the successive city dwellings and the paternal country mansion of the household, — gave to the eldest child of a noble stock on both sides a home which brought to her all that was requisite for training and enriching the finest gifts of nature. She once told me how often she read and perused the novels of Samuel Richardson. She could have written and lived all that was best and most graceful in his selectest pages.

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"Having witnessed the commencement, progress, and conclusion of these 'Memoirs,' I think it due to my daughter, Eliza S. Quincy, to bear this testimony to the fidelity of her statement concerning them. The work was undertaken and completed during the years 1822-23, without the assistance of any person, except constant encouragement and occasional criticism from me.

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"QUINCY, Oct. 20, 1826."

Of course this certificate must be understood as applying to the work which Miss Quincy had accomplished up to the time of its date, more than half a century ago. The well-filled volumes of manuscript contain additional materials inserted up to very near the close of her life. Her secret had transpired. Some of us will recall that on our always pleasant visits to her, if, in her discernment, she were sure that her guest would appreciate the favor, she would produce the volumes, and even let them pass from her own hands, that we might read the precious autograph letters of Washington, Franklin, Adams, Hancock, and others of renown, addressed to her grandfather and great-grandfather, and other original papers of import. All beside these autographs and official papers was from her own pen; and she is careful to caution us lest the natural changes in her chirography during more than half a century should lead to the inference that other hands than her own had written on her pages. Her own skilful pencil has drawn vividly many scenes and objects, — of landscape and dwelling, of the Adams and Quincy and other mansions, Penn's Hill, harbor views, etc., — so fondly endeared to her. Much material of instruction and delight might be selected from these manuscripts, nor has the donor prohibited such use of them.

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After the necklace which belonged to "Mumbet" was presented to our Society at its last meeting,<sup>1</sup> I made inquiries to ascertain whether she was identical with Elizabeth Freeman, who was a negro woman of extraordinary intelligence, and whose manumission in 1783, it has been believed, was the first fruit of the declaration in the Massachusetts Bill of Rights, "that all men are born free and equal," and led to the abolition of slavery in this State.<sup>2</sup> I was informed by Mr. William Minot that she was the same person, and that her name originated in this way: Elizabeth, Betsey, Bet; then Madam Bet, the prefix having been given by her fellow servants, out of respect to her capability and character; then Marm Bet, which was contracted by the children in the family to Mumbet.

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April 26, 1870."

Mr. Uriel H. Crocker, of Boston, was elected a Resident Member of the Society, and General George W. Cullum, U.S.A., was chosen a Corresponding Member.

The President mentioned that he had received a letter from the Rev. George W. Blagden, D.D., who, having removed to New York, had ceased to be a Resident Member, but had been nominated by the Council for the Corresponding Roll.

Mr. YOUNG then said:—

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Mr. Minot has also sent to our Library a pamphlet entitled "Restoration of Natural Rights," written with much ability and vigor by Henry Dwight Sedgwick, second son of Judge Sedgwick, and published in New York in 1831, which is interesting as one of the early articles on the practicability of abolishing African slavery in this country. In this pamphlet are detailed many particulars relating to the life and liberation of the domestic slave above mentioned, who was considered a remarkable person in Berkshire, and who died at a very advanced age, greatly beloved and lamented.

A picture of Mum Bet, which was taken in 1811, accompanies this pamphlet, and is presented to our Cabinet by Miss Maria B. Sedgwick. It was painted by her mother, Mrs. Theodore Sedgwick, the wife of the oldest son of Judge Sedgwick, who was a lady of great accomplishments, and well known to her contemporaries as the author of some charming tales. It adds much to the interest attaching to the keepsake which we have already received, that we now have this miniature likeness of the wearer and this historical account of her. I beg leave to propose that the thanks of the Society be tendered to Miss Sedgwick and Mr. Minot for their acceptable gifts.

The motion was adopted.

Dr. ELLIS read a letter from the bursar of Emmanuel College, in Cambridge, England, stating that it was proposed to commemorate John Harvard by a full-length figure of him in one of the windows of the College Chapel, and asking for suggestions in regard to a representation of Harvard himself.

Dr. GREEN, in presenting a copy of William Nadir's Almanack for the year 1743, which contained many manuscript notes in the margin, some of them of local interest, said: —

This almanac has been in the possession of my family for several generations, and it is only recently that I have been enabled to identify the handwriting and establish beyond doubt the name of the original owner. The following entry is made among the notes, under date of March 2: —

"Peter Fanuil Esq' dyed of a complication of diseases, a very fat squat man, & has bin Exceeding charitable amogst us, and a great Loss in this ToW."



Again, under date of March 10:—

"Mr Peter Faneuil Esq<sup>r</sup> burried a very Large funeral went roūd y<sup>e</sup> Town house gaue us gloues at y<sup>e</sup> funeral but sent y<sup>e</sup> gloues on y<sup>e</sup> 11. day. his Coffin couer[d] w<sup>th</sup> black velvet, & plated w<sup>th</sup> y<sup>e</sup>llow plates."

In the first volume (page 73) of the Proceedings, it is recorded that the gift of "A MS. Journal of a Gentleman in Boston, from the year 1729 to the year 1749, from Mr. Joshua Green," was made to this Society on July 29, 1794. The person presenting it was my great-grandfather; and with the laudable curiosity of a dutiful descendant I set about an examination of the manuscript, which consisted of three folio volumes made up mostly of items about the weather. There are entries here and there of some interest, but generally they are of a meteorological character. All the internal evidence goes to show that the Journal was kept by Benjamin Walker, Jr.; and not only is the handwriting identical with that in the almanac, but often the expressions are very similar, leaving no doubt that it was Walker who made the marginal notes. He refers as follows to the benefactor of the town of Boston, and mentions a physical peculiarity not generally known:—

"Thursday 3. [March, 1743.] Peter Fanuil Esq<sup>r</sup> between 2 & 3 a clock in y<sup>e</sup> afternoon dyed of a dropsical complayca, he was a fat squat Lame [man,] hip short went with high heeld shoe (In my opinion a great loss too This Town aged 42. 8 m) & I think by what I haue hear'd has done more Charitable deeds than any man y<sup>e</sup> euer liv'd in this Town & for whom I am very sorry.

"March 10. Peter Fanuil Esq<sup>r</sup> burried. Bearers Mess<sup>r</sup> Tom Lechmere Josh. Winslow Jn<sup>r</sup> Wheelwright And. Oliuer Jn<sup>r</sup> Gooch Jn<sup>r</sup> Wendall went round y<sup>e</sup> Town house

"Thursda 10. Burried Peter Faneuil Esq<sup>r</sup> in 49<sup>d</sup> year of age a fatt corpulen brown squat man hip short lame frō childhood."

Benjamin Walker, Jr., the writer of this Journal, was the son of Benjamin and Palsgrave Walker, and born in Boston on Jan. 24, 1679-80. He was a shopkeeper, and associated in business with his younger brother John. His family is mentioned in Sewall's Diary (vol. iii. pp. 371, 372); and additional facts concerning it are given in "The New England Historical and Genealogical Register" (vol. xv. pp. 53, 54). I have

but little doubt that he was a kinsman of Isaac Walker, the partner of my great-great-grandfather, Joshua Green, and that these papers came through this mercantile connection. Their firm were extensive owners in a tract of land, known as "the Green and Walker grant," and comprising a large part of the present towns of Heath and Rowe, in Franklin County of this State.<sup>1</sup> The sons of these partners, Joshua Green, Jr., and Edward Walker, after the dissolution of their fathers' firm by death, kept up the same business, under the same style of Green and Walker; and this fact undoubtedly explains the drift of the Journal and this little pamphlet.

The almanac bears on the titlepage the name of William Nadir as the author, and to it are appended the mysterious letters L. X. Q. It is well known that this name was the pseudonym of Dr. William Douglass, a Scotchman by birth, who came to Boston in the early days of his professional career. He had received his medical instruction in Paris and Leyden, and was a man of good education and many accomplishments, though of a peculiar disposition that kept him continually in controversy. It was wittily said of him once that he was always positive and sometimes accurate. He was well versed in the natural sciences, and much interested in astronomy.

Dr. Douglass opposed strenuously, both by tongue and pen, the introduction of small-pox inoculation, though he lived to modify his views on this subject. He took up his abode at Boston in the year 1718, at which time he was the only physician here who had received the Doctorate of Medicine.

He writes, under date of Feb. 20, 1720-21, to his compatriot, Dr. Cadwallader Colden who had settled at New York, also in the year 1718:—

"You complain of the practice of Physick being undervalued in your parts and with reason; we are not much better in that respect in this place; we abound with Practitioners, though no other graduate than myself, we have fourteen Apothecary shops in Boston; all our Practitioners dispense their own medicines."<sup>2</sup>

Dr. Douglass appears to have been fairly successful as a physician, and in a little more than two years after the date

<sup>1</sup> Holland's History of Western Massachusetts, vol. ii. pp. 382, 419.

<sup>2</sup> 4 Mass. Hist. Coll., vol. ii. p. 164.



of this letter he was the owner of a large tract of land in Worcester County, which is now included within the limits of Douglas, — a town named after him, though the final *s* is dropped. In the year 1735 he was one of a small number of persons who formed a medical society in Boston, the first association of the kind in the country.

In a letter written by him to the assessors of the town of Boston, and dated April 23, 1747, he says: —

"Further I may observe to you that I am or Soon must be in the Decline of Human life: therefore do not endeavor to increase my Fortune, having no family to provide for: but shall yearly lessen it, by dooing charities in my life time by donations and bounties."<sup>1</sup>

I have been thus explicit with Dr. Douglass's affairs in order to show that it is not improbable that he was the "certain gentleman of the town of Boston," alluded to in the printed Journal of the House of Representatives, July 7, 1739, and about whom a query was raised by our Corresponding Member, Mr. Moore, of New York, in a letter to the President of this Society,<sup>2</sup> written two years ago.

The entry in the Journal is as follows: —

"Information being given to the House by the Member from Worcester, that a certain Gentleman of the Town of Boston, [was] well disposed for the Encouragement and Support of a Professor of Physick within this Province, and for that good Purpose would chearfully contribute out of his own Estate a considerable Sum of Money, provided this Court will join therein in making a Grant of Lands, or otherwise establish a good Fund for the valuable Ends aforesaid; and the same being considered;

"*Ordered*, That the members of Boston, Charlestown, Roxbury, and Chelsea be a Committee to treat with the Gentleman, hear him on his Proposals, and report their Opinion of what may be proper to be done for the encouragement of so good a Scheme."

The member from Worcester who brought the subject before the House was Colonel John Chandler, and as Dr. Douglass was a large land-owner in Worcester County it is not unlikely that Colonel Chandler knew him personally. This fact, I am aware, has but little weight, but I mention it for

<sup>1</sup> The Boston Medical and Surgical Journal, vol. civ. p. 538: June 8, 1881.

<sup>2</sup> Proceedings, vol. xix. p. 250.

what it is worth; and in the absence of positive testimony it would seem as probable as not, that Dr. Douglass was the "certain gentleman of the town of Boston," who offered to endow a medical professorship at that time. The offer, however, does not seem to have been accepted, as no further trace of it is found in the proceedings of the House, or elsewhere. This attempt is by no means the earliest one in Massachusetts to promote medical education, as Mr. Moore supposes. Nearly a century before this time Giles Firmin, a man learned in medicine, had given instruction in this branch of science. The apostle Eliot, under date of Sept. 24, 1647, writes to Mr. Shepard, the minister of Cambridge, and expresses the desire that —

"Our young Students in Physick may be trained up better than yet they bee, who have onely theoretticall knowledge, and are forced to fall to practise before ever they saw an Anatomy made, or duely trained up in making experiments, for we never had but one Anatomy in the Countrey, which Mr. *Giles Firman* (now in England) did make and read upon very well, but no more of that now."<sup>1</sup>

An anatomy is the old name for a skeleton; and Mr. Firmin may be considered, in point of time, the first medical lecturer in the country. His instruction, doubtless, was crude, and comprised little more than informal talks about the dry bones before him; but even this was a great help to the learners. At any rate, it seems to have excited an interest in the subject; for the recommendation is made at the session of the General Court, beginning Oct. 27, 1647, a few weeks later than the date of Eliot's letter, that—

"We conceive it very necessary y<sup>t</sup> such as studies physick, or chirurgery may have liberty to reade anotomy & to anotomize once in foure yeares some malefacto<sup>r</sup> in case there be such as the Courte shall alow of."<sup>2</sup>

Edward Johnson, in his "Wonder-Working Providence" (London, 1654), written about the year 1650, describes Harvard College at a period near that time, and says that "some help hath been had from hence in the study of Physick" (page 165). It is very likely that Cambridge was the place

<sup>1</sup> 8 Mass. Hist. Coll., vol. iv. p. 57.

<sup>2</sup> General Court Records, vol. ii. p. 176.

where Giles Firmin had "read upon" or lectured on his skeleton.

Even much earlier than this, at the very planting of the colony, attention had been given to the need of physicians and the importance of medical knowledge. In the first general letter of instruction to Governor Endicott and his Council, from the Governor and Deputy of the New England Company, dated Gravesend, April 17, 1629, it is written, —

"Wee haue entertained Lambert Wilson, Chirurgeon to remaine [with] yo<sup>n</sup> in the service of the plantaçon, w<sup>th</sup> whom wee are agreed that hee shall serve this Companie and the other Planters that li[ve] in the Plantaçon for 3 yeares, and in that tyme, apply himself to cure but also for the Indians, as from tyme to ty[me] hee shalbe directed not only of such as came from hence for the geñall an[d] p<sup>t</sup>icular accompts by yo<sup>r</sup>selfe o<sup>r</sup> yo<sup>r</sup> successo<sup>r</sup> & the rest of the Councell; And more-over hee is to educate & instruct in his Art one or more youths, such as yo<sup>n</sup> and the said Councell shal[l] appoint that may bee helpfull to him and if occasion serve succeed him in the Plantaçon, w<sup>th</sup> youth or youths fitt to learn that p<sup>f</sup>ession lett bee placed w<sup>th</sup> him, of w<sup>ch</sup> M<sup>r</sup> Hugessons Sonne if his fater approue thereof may bee one, the rather because hee h[ath] bin trayned vp in litterature, but if not hee then such other as yo<sup>n</sup> shall iudg most fittest &c."<sup>1</sup>

Here we have the germs of a medical school, which, to be sure, did not fructify at once. But who shall say that they were not fostered and kept alive during this long series of years, in a regular line of descent, under the various and varying fortunes of the colony and province, and finally developed into the noble institution known to-day as the Harvard Medical School? Whatever other responsibilities may rest upon the shoulders of the founders of Massachusetts, or whatever other faults may be charged to their account, it cannot be said that they were unmindful, in theory at least, of the liberal benefits that accrue from the school of rational medicine.

Mr. T. C. AMORY communicated the following paper: —

It is desirable to have in print, where conscientious historians may find it, any information we may possess to explain

<sup>1</sup> Suffolk Deeds, lib. i. p. xii.

what, unexplained, may work injustice. The secret journal of Sir Henry Clinton, now in process of publication in the "Magazine of American History," is an important contribution to the material of our Revolutionary annals. Such journals are liable, from their character, to convey erroneous impressions; and regard for the memory of the dead and the happiness of the living imposes a duty upon societies like our own, to set right what may affect reputation. Present generations, more familiar with events comparatively recent, may be better able to prevent mistakes creeping into history than those that follow them.

Daniel Sullivan, the elder brother of General John Sullivan of the Continental army, and of James, one of the founders and the first president of this Society, during the War for Independence commanded a force of minute-men, about one hundred in number, raised near his home in Sullivan, on the east shore of Frenchman's Bay, opposite Mount Desert. They protected the neighborhood from depredation, became aggressive when there was cause, and formed an excellent school for recruits for the army. They took part in the attack on Castine in 1779, and rendered on other occasions efficient service. Soon after, the execution of André provoking a feeling of resentment and a disposition to retaliate, the frigate "Allegiance," in February, 1781, landed a party at night on the shore near Daniel's dwelling, at Waukeag Point. They surrounded his house while he was sleeping, cast into the snow his wife and children, burnt the buildings, and carried him prisoner to Castine.

Declining the usual proffers of rank and reward if he would swear allegiance to the crown, he was sent to New York, and committed to the Jersey Hulks. These prison ships were noted for their foulness, and few came out from them alive. Daniel, accustomed to the pure air and freedom of his farm, anxious for his family left shelterless, their home in ashes, lost health and spirits, and was naturally eager for deliverance. While thus confined, Stephen Holland, at one time clerk of the Hillsborough County Courts in New Hampshire, who had left the State in 1778 under suspicion of disaffection, who had then gone to New York, and was now a major in the British army, went to see him. As before the war he had known General Sullivan, whose extensive professional practice carried

him into the different counties, he visited Daniel, perhaps of his own motion, or he may have been sent by his superior officers. Having heard Daniel's story and witnessed his distress, he procured for him, from Clinton, permission to visit his brother John, then a member of Congress at Philadelphia, to effect his exchange.

General Sullivan was then serving a second term in the Congress. From September, 1774, to June, 1775, he had taken an active part in that body, in organizing resistance to the encroachments of the British Government upon the just rights of the colonies. With Washington he joined the army besieging Boston, in July, 1775, and with General Greene served as Brigadier-General under General Lee, who commanded the left wing. During the following winter the Connecticut line, its period of enlistment ended, went home; and his efforts and influence were largely instrumental in replacing them with two thousand troops from his own State. After Howe evacuated Boston, in March, 1776, General Sullivan was sent to Canada, and there extricated our army, weakened by disease, from their perilous position, the force opposed to them being greatly superior. Recalled to New York, now Major-General, with McDougal and Lord Sterling as his brigadiers, they did what they could with five thousand men, to withstand fourfold their numbers, and, with Sterling, Sullivan was taken prisoner.

Exchanged for Prescott, he was honorably noticed in general orders for his services in West Chester, and after Lee's capture in December marched his troops to join Washington on the Delaware. A few days afterwards he took part as commander of the right wing in the battles of Trenton and Princeton. He made, in August, an attack at night on Staten Island, which a court of inquiry decided deserved the approbation of the country. At the battle of the Brandywine, in command of the right wing, he was opposed, with five thousand men, to double their force, whom he kept for two hours at bay, — for half that time, to use his own expression, muzzle to muzzle. Again at Germantown he commanded on the right, and drove the enemy opposed to him, when fog and smoke and mistakes in other parts, of the field led to retreat. The army then went into winter quarters at Valley Forge, where he was engaged in building a bridge over the Schuylkill.

Ordered to Rhode Island towards the spring of 1778, as the welcome intelligence arrived of the treaty of alliance with France, he commanded, at the siege of Newport, ten thousand men, whom he helped in raising to co-operate with D'Estaing and his fleet. The appearance of a large British naval force drew out the French fleet to pursue them. The fleet, shattered by the storm and partial conflicts, returned only to announce the necessity of their going to Boston to refit. The American army, diminished by the departure home of the militia and volunteers whose term of enlistment had expired, withdrew to Butt's Hill, at the north end of the island. There, and on the way, was fought, on the 29th of August, what Lafayette pronounced the best-fought battle of the war. It began at about seven in the morning, and lasted, with little intermission, if any, till four in the afternoon, ending in a bayonet charge which drove the enemy to their intrenchments on Quaker Hill and Anthony's. The British loss that day exceeded one thousand men, the troops engaged being about six thousand on each side.

The following year Sullivan commanded an expedition of four thousand men into Western New York. One object was to punish the Indian tribes for their atrocities at Wyoming and along the frontier, and deter them from repetition; another was to open the paths for the invasion of Canada if D'Estaing returned in season to co-operate. D'Estaing was belated in the West Indies, made a hurried and unsuccessful attack on Savannah, and returned wounded to France. Sullivan, by an accident and the exposures in the campaign, had become incapacitated for the time for active service, and resigned from the army as the year closed. The letter of Washington in reply to the communication of his resignation testified to the high estimate he held of Sullivan's services in the army.

He was slowly recovering from serious illness when, without his knowledge and against his wishes, as his family needed his professional services for their support, he was chosen a delegate again to the Congress. Among other duties which devolved upon him, he was directed and empowered to defend the title of New Hampshire to fifty or more townships of land east of the Connecticut. New York claimed them, as she did Vermont, as part of her domain, and sent four of her ablest advocates to urge her rights. After twenty arguments of the



cause before Congress, Sullivan succeeded in securing the townships for his State. From his long experience in the field, he was able to institute many useful reforms in the army, as also in other departments of the public service. He took an active part on the committees for furnishing means for the war by improving the currency, restoring credit, inducing the State to impose taxes, and procuring loans and subsidies.

These measures took months to mature; and as they were becoming ripe for adoption, the Continental currency reached its last stages of collapse. In various places occurred popular demonstrations of discontent, and on the 6th of May, 1781, the day Daniel Sullivan reached Philadelphia, similar disturbances took place in its public streets. That night, as he was supping with his brother, Daniel gave him a letter from Major Holland. Its contents, as it was immediately destroyed, are only known by what John told Luzerne a few days after. It is reasonable to presume that one principal subject of Holland's letter was Daniel's exchange or liberation. But he took occasion after complimenting the general upon his intelligence and talents, and the high esteem in which he was held by the English, to add that they regarded him as the fittest man to negotiate a reconciliation between the mother country and the English colonies; that they wished him to make known his sentiments on the subject; that all overtures on his part would be received with the consideration which they deserved; that he had only to state his wishes; that the person who wrote to him was fully empowered to open a special negotiation with him, and he might count upon the profoundest secrecy. Such a proposal of secret correspondence with the enemy so soon after Arnold's defection might well have aroused his indignation as a reflection upon his good sense as well as upon his honor. He burnt the letter before the face of Daniel, and begged him to tell those that sent him that their overtures had been received with the deepest scorn.

Still eager to effect Daniel's liberation, John wrote Holland an answer to his letter and gave it to his brother to carry to him. But upon reflection, lest it should compromise Daniel or be misconstrued, he sent next morning for him, as he was taking his departure for New York, and took the letter away, saying he would find some other means to communicate it to Holland. What John said in this interview as Daniel was

starting on his journey, in the midst of John's various engagements, in a place subject to interruption and open to observation, Daniel might well have misunderstood. In his desire to save his brother from captivity and not to wound his sensitiveness by want of cordiality, John's words might have been construed to mean more than he ever thought of attaching to them.

Some ten days later, after Daniel's return to New York, Holland drew up the paper purporting to give an account of what took place between the brothers in Philadelphia. If in the intervening period John had been heard from, the declaration would not have been needed. Its obvious object was to obtain Daniel's deliverance, and this by representing John as "having good intentions towards the English." It abounds in improbabilities and exaggerations, and distorts language, possibly uttered in other connections and susceptible of very different explanation, into an import inconsistent with the whole tenor of John's previous life and his subsequent conduct. For no sooner had Daniel taken his departure than John went to Luzerne, the French minister, the last person he would have selected for his confidant if he had entertained any disloyal intentions, and told him all that had taken place, with some slight reserve as to what might compromise Daniel as an American officer or a British prisoner. He may have related the circumstances also to his friends in Congress, or to that body; but of this we have no evidence. His whole language to Luzerne, as set forth in that minister's letter to Vergennes, dated May 13, the following Sunday, was that of a man of honor and of too much good sense, knowingly, to be placed in a false position.

Sullivan was under obligation to Luzerne. When, in 1774, at the age of thirty-four, he went to the Congress, he had already accumulated, by his professional labors and judicious investments, ten thousand pounds. For seven years he had been constantly in the public service, civil or military, and he continued in it as long as he lived. His property depreciated; he was considerate of his debtors; he had a family to support. For the last three years of his military service, although in command of separate departments, he had received in all fifteen hundred dollars for his pay and expenses, besides rations; the last year but forty dollars, as indicated by the paymaster's



account. One hundred dollars had been advanced to him in 1780 by New Hampshire towards defraying his travelling expenses to Congress. His means speedily exhausted, he wrote to Weare, president of the State, for remittances. His letter, intercepted, was carried to New York and printed in the "Gazette." It came thus to the knowledge of Luzerne, who of his own accord offered him a loan of what was equivalent to a year's pay at a dollar a day, or seventy guineas. This may have actuated his choice of a confidant when puzzled as to what was best to be done in May, 1781.

The acceptance of this loan in his need has been censured. But Sullivan was on friendly terms with Luzerne. France was our ally, with no conflicting interests. Six weeks later, when the Pennsylvania line, with its pay long in arrears, became disaffected, a committee composed of Sullivan, Witherspoon, and Matthews, went to confer with Governor Reed of that State. Sullivan wrote to Luzerne an account of what had taken place, from Trenton, Jan. 13, 1781. His letter closed with the following postscript: —

"One circumstance ought not to be omitted, which in my opinion does the insurgents much honor. When they delivered up the British emissaries, Governor Reed offered them a hundred golden guineas, which they refused, saying that what they did was only a duty they owed to their country, and that they neither wanted nor would receive any reward but the approbation of that country for which they had so often fought and bled."

He would hardly have thus written to Luzerne if the loan made to him seven weeks before had been tainted for either by any thought of corruption; and some of the most honorable men in the country, presidents of historical societies, have placed on record their sense of its entire propriety.

The Government owed him six thousand dollars for pay and advances while in the army. Though the whole sum was finally paid him, fifteen hundred only was voted, July 31, 1781; and of this the public treasury could spare, for several months, but two hundred. His friends were busily engaged in bringing about a more cordial feeling between himself and Burke, of North Carolina, who were still at variance about the battle of Brandywine, four years before. Burke thought that Sulli-

van's five thousand men in the right wing should have subdued twice or thrice that number of British veterans, who were far better armed and equipped. Probably neither of them allowed any personal feeling to interfere with his public functions; but, as they were constantly on the same committees, it seemed better they should make peace. This was effected by General McDougal and Mr. Shiel at this very time; the former's letter, giving an account of their reconciliation, bearing date the 22d of May. It is difficult to believe that any one, even if generally actuated by selfish considerations, would have incurred the risk of forfeiting the esteem of his associates, on whose good opinion so much depended, by any questionable proceedings.

Daniel at an early age had joined his wife's kinsfolk and neighbors, the Beans, Gordons, Hammonds, Plaisdells, and Prebles, in procuring a grant of thirty thousand acres, — now Hancock and Sullivan, on Frenchman's Bay, — and on a farm three or four miles south of the present principal settlement was extensively engaged in sawing lumber. Not originally so well educated as his three brothers, who were bred to the bar and were all successful lawyers, he may have been less sensitive to John's public obligations and the consequences of their violation. The transactions of Congress were manifold in their nature, and recorded in separate journals. One of them for foreign affairs was secret, as also another for domestic; but those entered on the public journal were generally known. What transpired in Philadelphia soon found its way to New York; and it may have had it in mind in signing the declaration.

His anxiety was not without cause. Public opinion in England clamored for retribution for the execution of André. The Government lost temper at their ill success; their prisoners were sent to England, and there, as here, subjected to inexcusable barbarities. The brutal murder of Colonel Hayne in August had already been preceded by like atrocities, which at this time or soon after justified the appropriation of the Simsbury Mines in Connecticut for a prison house. Daniel's principal concern was to regain his freedom, of which he had been unwarrantably deprived, while he might, and go home to the protection of his family. His brother, conscious of his own integrity, which had never been impeached, might well have

risked reputation for such an object, though nothing would have tempted him to forfeit his honor.

The declaration drawn up by Holland to effect this object by conveying the impression of John's good intentions to the Crown, may have been influenced by a wish to range John on his own side of the contest. Both Holland and Clinton probably knew of the overtures to peace communicated by Vergennes from Paris sixty days before. Independence even to them must have seemed assured; and an influential friend like General Sullivan might save Holland in that event from the exile which ended in his death in Ireland as the war closed. There is no evidence or reason to suppose, however, that General Sullivan in any way authorized Holland to misrepresent his dispositions towards England, or did aught to save Daniel except through the legitimate channels of exchange.

Four years before, Judge Livius, also a refugee loyalist from New Hampshire, wrote him a letter of like character to that of Holland. Many of the leaders were similarly approached, but Arnold was almost the solitary instance of defection. In burning Holland's letter when he received it, General Sullivan had expressed himself in terms sufficiently explicit of his indignation. If the next morning, as alleged in the declaration, Daniel said that what Holland wished was information as to the transactions of Congress and advice as to what steps to take, and that he might name his own terms, John certainly did not agree to give either. In his kindly feeling towards his brother, at what was to prove their last parting, he probably did not think any repetition of what he had said the night before called for. If he used such phrases as set forth in the declaration, "that he was sorry it was too late," "that he would ride a hundred miles to see Holland and learn his views about politics," "that he would seek an occasion for sending Daniel to him," which is very problematical, they were quite likely used in some other connection, and fell short of any proof or reasonable evidence of any agreement to do aught inconsistent with his existing obligations.

He did not lose sight of the important consideration as to how much Daniel's safety depended upon Holland's kind offices. Holland's disposition towards himself seemed friendly, and he may have made some allowance for what was dishonoring in the proposal of terms. He may have considered, as

suggested to Luzerne a few days after, the opportunity too favorable not to be improved for procuring information of the enemy's designs and movements. This idea, if entertained, soon yielded to the counsels of Luzerne and his own reflection on its imprudence. These various reasons explain why, if the declaration be a true account of what took place in Philadelphia when they parted, which does not seem probable, John did not again resent the proposition of Clinton and Holland, through Daniel, when repeated that morning, in terms more indignant.

Luzerne's letter to Vergennes, dated the 13th of May, shows plainly enough that he had no disloyal intentions. "It is fortunate for his memory that these two documents—one from England, the other from France, each giving one side of the same transaction, each separately brought back to America about a century after their dates—should so completely explain each other:" showing that General Sullivan was neither corrupt nor disloyal; that under circumstances peculiarly trying his conduct was that of an honest man and affectionate brother; and that he was sensible enough to guard his reputation from the misconstructions and misrepresentations of those who might seek to defame it, by making the minister of France his confidant and the official correspondence the depository of his abundant justification. Clinton, like Walpole, thought every man had his price; but it was proved over and over again during the Revolution that this was not true of the American leaders.

As there is no evidence or reason to suppose that John ever gave information or advice to the enemy; as there were but fifteen days, from the 7th to the 22d of May, 1781, when there was the slightest possibility that he should have had any chance or temptation to do so, and during all this period he was busily engaged with the most honorable gentlemen of Congress, in public affairs taking a leading part in debate and on committees, and on the 26th placed on the Committee for Peace, from which Luzerne, who had the best means of knowing him, might have easily had him excluded by denouncing him, if he had any ground of suspecting his integrity; as the declaration is susceptible of easy explanation without any impeachment of his honor or reputation, — we think no conscientious writer on American history, having

improved all the sources of information that are accessible, as our Proceedings must always be, can upon the evidence honestly question his loyalty and fidelity to all obligations.

The journals of Congress, his own correspondence, and the course of events testify strongly against the likelihood of his ever having in the slightest degree favorably entertained the temptations presented, or of their having been the slightest temptation to him. If he ever took them into his mind, upon the briefest reflection he must have repelled them without hesitation. If flattered at the thought of becoming the mediator of peace when the moment was ripe for such a consummation, he knew that to Congress and our representative at Paris had been committed all peace negotiations. The proposal of selfish inducements was simply an insult. He had been steadfast from the first to the cause of Independence, and he so continued till it was soon afterwards accomplished. For seven years he had been engaged in the conflict, had made for it as great sacrifices, and endured as great hardships, as any other of the patriots. He stood well in the public estimation and with the Congress. What object could he have had to throw away so honorable a record, when fleets and armies were gathering with such reasonable prospect of obtaining that for which they had so long been contending?

If he was ever in doubt as to the issues of the war, his duties were too absorbing to admit of any thought of discouragement. The journals of Congress, both public and private, exhibit the variety and extent of his occupations. Few of the members were more busily engaged or constantly called upon to do their part in debate or on committees. In October, 1780, he was employed with Madison and Duane in instructing Franklin and Jay to maintain the right of the United States to all the territory held by Great Britain recognized by the Treaty of Paris in 1763, including the navigation of the Mississippi. He had moved at that time that a letter should be addressed to the King of France, urging a more vigorous prosecution of the war. This letter, bearing date the 22d of November, was responded to by the king on the 9th of March, pledging himself to what was requested; his response reaching Philadelphia on the 22d of May, 1781.

In December, intelligence being received of the capture of

Henry Laurens, formerly president of the Congress, who had been sent out in July to negotiate a treaty with the States-General, and had been imprisoned on a charge of treason in the Tower, Sullivan moved that an envoy extraordinary should be sent to Paris to solicit the aids requested of the king. John Laurens, who had fought valiantly with him at Newport, and been seriously wounded with D'Estaing at the siege of Savannah, was chosen to go. It was indeed understood that the mission was especially ordered that he might do what he could to effect the release of his father. His mother, and a sister who became afterwards the wife of David Ramsay, the historian, in 1786 likewise president of the Congress, were in Paris. They were in the greatest affliction at the impending danger. Mr. Laurens, one of the most estimable and honored of the Revolutionary leaders, was greatly beloved by all who knew him. The harsh measures and menaces of the British Government naturally overwhelmed his family with the deepest distress.

It is well known how wisely the time was improved in plans for the campaign to come. Dr. Franklin and Vergennes, the king and young Laurens, at Versailles, on those Ides of March mornings, would make an interesting historical picture for some genius in art. Perhaps Neckar might be added to the group, distressed at the royal extravagance; Cornwallis, entering Virginia, pushing on to Yorktown; Clinton, embarking and disembarking his men, not knowing whether to go south or bring Cornwallis north; Lafayette, playing fast and loose, the more to puzzle them; Arnold, burning Virginia tobacco he could not carry off, and Connecticut churches he did not value enough to leave. To keep the bird from startling till De Grasse on the first of August, with the best regiments of France collected in the nooks and corners of the West Indies, should join Washington and Rochambeau, Barras and Lafayette, before the walls of Yorktown, depended on secrecy, punctuality, and chances so various that the slightest mistake might have proved disastrous. All went well; as one of the plotters, Sullivan made no mistakes. At the right moment the French fleets entered the Chesapeake; both Washington and Rochambeau were there.

In helping on this consummation, General Sullivan had an important part to perform in the Congress. The thirteen



colonies that had declared their independence in July, 1776, lay now exhausted. They were represented abroad by Dr. Franklin, John Adams, Thomas Jefferson, Henry Laurens, Francis Dana, Ralph Izzard. In executive offices were Sam Adams, Livingston, Cornell; while Washington, Gates, Greene, Sterling, Morgan, Wayne, Sumter, and Marion led in the armies. Several of the most honored, who had been members of the Congress, held high office in the States. Rarely as many as thirty attended Congress. This explains why so many duties devolved upon the few,—why Sullivan was chosen on so many committees. As the first on the list of the most northern State, in which order of precedence they were called upon to vote, Sullivan's was a responsible position to hold, for reasons sufficiently obvious. In military and naval affairs, in the Treasury and Foreign departments, there were few more able or willing. Langdon, President of Harvard, was his frequent correspondent on finance; and with Witherspoon, President of Princeton, he was associated in foreign and financial affairs. With Madison, Varnum, Matthews, Carroll, who served with him on many committees, he was constantly employed upon documents which elicited praise from the most renowned of European diplomatists.

With so few left to share the responsibilities of administration and perform its tasks, many functions naturally devolved on one who had formed part of the government from the beginning. He had his rights, not to abuse, but to use for the cause; and as a general he had been trained to respect the limits of authority too well to be likely to transgress them. If in suggesting to Luzerne the wisdom of using the opportunity presented by Clinton for procuring information, he claimed a larger discretion as one of the Government than he would have thought of exercising simply as a member of the Congress, allowance should be made for the singular condition of the Government of the time, having no head, carrying on a war almost partisan, and the people being almost equally divided.

Our struggle for independence was evidently not to go by default. Dependence on a nation alien in blood, language, and faith had its objections. The approach of the critical moment may have disturbed the settled views of many; but knowing from history what England meant by unconditional surrender, France as a friend and ally, if sometimes exacting, would be

preferable to the old oppression. There could have been no advantages, national or individual, which Britain could offer so acceptable as the independence assured by the great European combinations.

From the commencement of his term of service, the previous September, Sullivan, as mentioned, had taken an active part in devising measures for restoring the public credit and replenishing the exhausted treasury. In his correspondence he had consulted Washington as to the selection of Hamilton—who wrought in that department such wonders later—for Superintendent of Finance. Hamilton could not be spared from the army, and the choice fell on Robert Morris. Congress, in committee of the whole, had previously kept control of this branch of the public service as the Committee on Finance. But on the 8th of May, the day after his brother Daniel's departure from Philadelphia, General Sullivan moved that a committee of five be chosen to devise further ways and means to defray the expenses of the ensuing campaign, and to consider what further measures could be adopted for a better regulation of the public finances. Witherspoon, Sullivan, Smith, Clymer, and Rodney constituted this committee.

Two of their recommendations for redeeming the outstanding obligations, which were thought too considerate of the actual holders, met with little favor; but on the 14th Morris accepted the office of Superintendent of Finance, and on the 17th submitted his plan for the Bank of America. This, approved on the 26th, was referred to the committee "to furnish means for the campaign" to mature and carry out. On the 16th, Sullivan, from a special committee, reported the result of an inquiry into the management of the loan offices, and on the 22d his committee "to furnish means for the campaign" offered a resolution, which was accepted, that the war should be carried on upon a specie basis, and that rations be purchased by contract.

On the 21st Sullivan reported an order authorizing General Gates—then awaiting his trial by court-martial for Camden—to repair to head-quarters and take such command as the commander-in-chief should direct; and on the 25th, he reported another, directing the Board of War to take measures to send into New York and Charleston such quantities of tobacco as would discharge the arrears due from American prisoners then



in confinement, and to provide for their future support. As chairman of another committee, with Varnum and Bland, to whom had been referred the letter of Washington of the 20th of December, he submitted a rearrangement of the army, amounting to a reorganization. It is not proposed to claim for Sullivan any exclusive credit for these various measures. He did his part with the rest. He co-operated in all the principal reforms which, adopted when our fortunes seemed at their lowest ebb, proved the masterly moves on the chess-board which achieved independence. One of his earliest duties in Congress had been to secure Greene's appointment, whose masterly movements that very month had driven Cornwallis to his trap.

On the 22d Luzerne transmitted to Congress a letter from the king, expressing an intention to prosecute the war with the utmost vigor, and informed them that he had received despatches of great importance, which he should hasten to communicate when deciphered. On the 25th he informed Congress that the second division of the troops, commanded by Count de Rochambeau, could not be expected for the campaign; but measures had been taken to reinforce the army and expedite ships in force to enable the squadron at Newport to put to sea. The king had granted a subsidy of six million francs, and would enable Dr. Franklin to borrow four millions more. The following day another memorial from the minister announced certain overtures made by Great Britain for peace, through the mediation of the Empress of Russia and the Emperor of Germany, and declared that France was disposed to accept them on the basis of independence for the States; and advised that, while negotiating, the efforts against the enemy should be redoubled. He requested that a committee should be appointed to treat with him for the negotiation.

The committee, consisting of Carroll, Jones, Witherspoon, Sullivan, and Matthews, reported on the 28th and again on the 6th of June. They were engaged in the general direction of the preparations for many weeks, in framing commissions for Dr. Franklin, Henry Laurens, John Jay, John Adams and Thomas Jefferson, the appointed commissioners, in determining boundaries and other stipulations, and in preparing the instructions for the action of Congress.

In these and similar duties Sullivan was busily engaged till

September, when, his year having expired and his successor having been elected the previous April, he went home to New Hampshire. He was there busily occupied in its administration, as major-general in organizing its troops, as attorney-general, as president of the State, or Federal judge, till his death in 1795. This rapid sketch of his public career seems important to be borne in mind in passing judgment upon the likelihood of his ever having swerved from loyalty to his country. It would seem harsh judgment, — even if it should prove that he ever wrote, to save his brother's life, to Holland of which no evidence appears that he ever did — that he should, after such devotion to the cause of Independence, be charged with either corruption or treason.

Judging by the periods it took for intelligence of a secret nature to pass between Philadelphia and New York, the information obtained must have been stale before it reached its destination. On the 16th of May the "Adventure," with nine hundred barrels of flour, was captured by the "Royal Oak," and carried into New York. It had a permit which covered part of its cargo or mail. One of Captain Beckwith's correspondents takes occasion to mention this neglect in a letter of the 19th of June, thirty-four days afterwards. It reached Beckwith only on the 1st of July, with despatches received in May from France. Its writer mentions subjects under debate in the assembly of his State, which indicate either New York or Pennsylvania as that to which he belonged.

In another letter of the 27th of June, 1781, from a gentleman of Philadelphia to Captain Beckwith, received by him also the first day of July, he speaks of a letter dated May the 30th received on the 23d June. The correspondence could not have been brisk or profitable; and in this particular instance the principal part of the information had long before been spread broadcast over the land, or forestalled by the press. There were times, during that eventful summer, when secret intelligence might have been precious, — for example, in the allied armies' circuit round New York, from Newport to Yorktown, — but what proved of most avail was the truth told by Washington and Rochambeau, which Clinton refused to believe. Leaks, when generals kept their own counsels, were unimportant. That much found in Clinton's secret journal was purposely designed to mislead him, seems obvious enough.

There is no evidence that any of the communications printed in the journal had come directly or indirectly from General Sullivan. We only argue that if they had, they betrayed no secret prejudicial to the cause of American independence when received by Clinton.

It was clearly a duty to his brother, cost what it might, to do all that he honorably could to save him in his peril from his imprisonment. He had no means to give him to rebuild his house, burnt without the slightest justification by the British; for the ashes of the Iroquois towns was a retaliation for Wyoming. Their brother James, then judge of the Supreme Bench of Massachusetts, had a large family and scanty means. If, to further Daniel's liberation, John expressed his wish for reconciliation on fair terms and reasonable guaranties, in case independence from reverses proved impossible, there was no treason in that. Daniel was soon exchanged or set free, and died on his way home. There is no evidence that John ever received any bribe or performed any service for the enemy. He was always true to the cause of Independence. Often a successful candidate for public office, no such reproach was ever flung at him or whispered. He retained to the end the confidence of Washington, Greene, Knox, Lafayette, and all the best of the patriots. The only key to Holland's declaration, signed by Daniel, in Clinton's journal, is that the plain truth was very much perverted for a purpose; that John was faithful to his brother; and that if he feigned more affection to the British than the infamous course of Clinton in his attempts to bribe inspired, his motive was to save Daniel from the pestilential vapors of the hulks and restore him to his wife and children.

Nothing is known to the prejudice of Daniel; but, on the contrary, much in his favor. Judged by his descendants, he was in every way worthy. He was hardly responsible for passages in the declaration to which exception is taken. It is signed by De Lancy, Daniel, and Holland. This does not look as if Daniel signed of his own free will, but from encouragement, perhaps coercion. Perhaps he smelt the blood of the shamble, and instinctively drew back. By threat or in apprehension of what later betided Hayne, he signed under duress of circumstance. It needs no casuistry to hold him blameless, to impeach the credibility of the declaration without question-

ing the truthfulness of his character. Formal oaths under such conditions are not binding in honor or conscience, and, extorted under threat, have no moral obligation.

The PRESIDENT then read an interesting letter, which he had received from the Count de Paris : —

SANLUCAR DE BARRAMEDA, 27. 1. 84.

DEAR SIR, — I received your kind letter six weeks ago, and was anxious to return at once my best thanks for your kind appreciation of my two last volumes on the Civil War, and for the way in which you spoke of my work before the Historical Society of Massachusetts. The praise of such a competent judge as you are is the only reward I wish for a work which I have undertaken for a twofold object: first, I must acknowledge, my personal satisfaction; for, although a great sportsman, I know no greater enjoyment than a quiet day devoted entirely to the pursuit of historical studies and the search for truth which is the first element of these studies; second, the payment of debt of gratitude to the people of the United States for the hospitality which the Government of the Republic gave my brother and myself in the ranks of its army at the time we were exiles from our own country.

Unfortunately, since last summer my work has been practically suspended. The death of the Comte de Chambord, which made such a change in my own situation, has brought upon my hands new and important duties, to the fulfilment of which I had to devote all my time. The sad news found me fighting the battle of the Wilderness, and since the eventful day on which I received these news I have left both armies standing without being able to bring the struggle to an end. More than this: I have not found time enough to write all the letters I had to write, and I had to wait till I came to spend a few weeks in this quiet place before I could answer your kind letter.

Please receive my best apologies, and believe me,

Yours truly,

PHILIPPE COMTE DE PARIS.

ROBERT WINTHROP, Esq.

The PRESIDENT afterwards read the following from the Secretary of the new Oxford Historical Society : —

BRASENOSÉ COLLEGE, OXFORD, ENGLAND,  
Jan. 20, 1884.

DEAR SIR, — Many thanks indeed for your kind letter about the Oxford Historical Society. We really start with very fair prospects, and it is most encouraging to receive such letters from across the

Atlantic. Our first three volumes we really hope will be out towards the close of the year.

It is very good of you to promise to lay the Prospectus before the Council of so well-known a society as the Massachusetts Historical Society, whose publications I constantly see in the Bodleian.

I am, with thanks, very truly yours,

F. MADAN.

ROBERT C. WINTHROP, Esq.,  
90 Marlborough St., Boston, U. S. A.

MR. GOODELL remarked that since his paper upon the witch-trials appeared in the October serial, a reply to some portions of it had been read before the Society; and though he did not purpose to file a rejoinder, he would ask permission to state some additional considerations reinforcing his original argument, which will, at the same time, apply to the main points that have been made against it. He continued as follows:—

In the first place, to the point that there is a manifest distinction between the judicial system established by the province charter and that of the mother country, and that under the former no commissions of oyer and terminer could be issued except upon the previous authorization of the legislature, I would call the attention of the Society to the practice, to-day, in the Dominion of Canada, where the distinction between the legislative and judicial functions is very strictly observed,—certainly as strictly as in the province of Massachusetts Bay under the royal charter. There, notwithstanding the British North America Act, 1867, which is the organic law of the province, confers upon the governor-general the exclusive power of appointing the judges of the provincial courts,—with certain express exceptions,—the lieutenant-governors of New Brunswick and Ontario, in which provinces courts of oyer and terminer continue to be held, invariably issue the commissions for these courts; and what gives additional force to this as an instance in point, is the fact that while the constitutionality of this practice has never been questioned, the authority of the governor-general in respect to the *personnel* of the established courts is so jealously maintained that his exclusive right to appoint queen's counsel, both in New Brunswick and Nova Scotia, in spite of an act in each of those provinces expressly conferring that power upon

the governor of the province, has been judicially determined by the Supreme Court of Canada.<sup>1</sup>

In another aspect, the parallel between the present practice in New Brunswick and that of the province of Massachusetts Bay, in the issuing of commissions of oyer and terminer, is still closer; for, by clause 14 of section 92 of the British North America Act, "the administration of justice in the province, including the constitution, maintenance, and organization of provincial courts both of civil and criminal jurisdiction," is wholly and exclusively devolved upon the provincial legislature, which has no power to delegate this authority in any particular. It follows, therefore, that the issuing of a commission of oyer and terminer by the lieutenant-governor is there clearly understood to be a proceeding essentially different from the act of constituting a criminal court, within the meaning of the act of parliament.

Again, it is said that "the General Court did stay 'the evil'" of the witch-trials, "in a most effectual manner, by abolishing the court of oyer and terminer;" that "they bounced this tribunal within a year, and finally passed an act rendering any such future abuse of power impossible."

If this terse and emphatic language is employed to describe the effect of the supersedure of the Court of Oyer and Terminer by the establishment of the Superior Court of Judicature, the implication is extravagantly gratuitous. There never was any express dissolution of the Court of Oyer and Terminer. As has been already shown, its functions ceased, *ipso facto*, the moment a competent court of assize and jail delivery began its sessions within the same jurisdiction. That such a court would be held in Essex County was foreseen when the act establishing the Superior Court<sup>2</sup> was passed at the session of the assembly which began on the 12th of October; and an extraordinary term of assize and jail delivery was specially appointed by the legislature during the same session,<sup>3</sup> for the purpose of trying fresh in-

<sup>1</sup> Lenoir *et al. v. Ritchie*, 8 Duval, 575.

<sup>2</sup> Province Laws, 1692-93, chap. 38.

<sup>3</sup> *Ibid.*, chap. 45. From Sewall's Diary, under date of Oct. 26, 1692, it appears "that the Court of Oyer and Terminer" counted "themselves dismissed," by the vote on a bill for a "Fast and Convocation of Ministers, that [we] may be led in the right way as to the witchcrafts." This was a measure promoted by the friends and relatives of the accused. Three days later, according to the same authority, Governor Phips decided that the court "must fall."



dictments for witchcraft. This court, so far from being essentially a new tribunal, was held, with a single exception, by judges, with Stoughton still at their head, who had sat in the former trials.

The new court of assize recommenced the work of prosecuting witches with increased vigor. The new grand juries, obedient to the charges of the court, found fresh bills of indictment for witchcraft; and it is said that not less than fifty-six of these were preferred at the first term. Certain it is that, at the special term at Salem, at the first regular term for Middlesex, in the same month, and at the term held at Ipswich, in the following month, thirty-one indictments against persons accused of covenanting with the Devil or practising acts of witchcraft were tried, and that in all but three of these cases the petit juries found verdicts of "not guilty." Those who were not acquitted were afterwards reprieved or pardoned.

It would seem therefore, after all, that we are more indebted to the practical common-sense of that most popular tribunal, *the jury*, than to all other influences, for putting a stop to those scenes of horror which all the rules of evidence, as then understood and practised in the most enlightened courts, all the skill and acumen of a trained attorney for the prosecution, and all the wisdom of a grave, learned, and pious bench of judges, were powerless to prevent.

It is an important fact, but one which seems to have been overlooked by all writers upon these witch-trials, that, in the later cases of witchcraft, the jurors were chosen by, and from among, all those inhabitants of the province who possessed the requisite amount of property to qualify them as electors under the new charter. The act requiring this qualification for jurors was passed Nov. 25, 1692;<sup>1</sup> and though an earlier act had prescribed the same qualification for jurors serving at the courts of general sessions and of common pleas,<sup>2</sup> no such rule had been made or adopted for the Special Court of Oyer and Terminer. The only *venire* for this last-named court, that has been preserved,<sup>3</sup> was for the September term, and is directed to the sheriff, requiring him to impanel and return,

<sup>1</sup> Province Laws, 1692-93, chap. 33.

<sup>2</sup> *Ibid.*, chap. 9.

<sup>3</sup> Woodward, vol. i. p. 10.

as petit jurors, "good and lawful men of the *freeholders and other freemen*" of his bailiwick. Thus it seems that before the assizes were established, the jurors were chosen, as in colonial times, from among the *freemen* only; and these being, by the old law, necessarily church members, were more likely to obey implicitly the directions of the judges, — with whose prejudices they were in full sympathy, — than were those selected, in each town, by the whole body of electors, which had been enlarged and liberalized, in conformity with the requirements of the charter, by the inclusion of a considerable proportion of respectable persons not members of the orthodox communion.

That the influence of this new element in the body politic was felt in the matter of selecting jurors for the Superior Court, appears, to some extent, in the rejection of numerous indictments laid before the grand juries, though not in so marked a degree as in the large proportion of verdicts of acquittal.

Another groundless insinuation ought not to be permitted to pass unchallenged; and that is that the eminently conservative profession of the law, which has never, as such, encouraged, much less started, any political or legal reform, would have furnished the world an exceptional example of high thinking and just dealing if it could have had the exclusive management, *secundum artem*, of the witch-trials.

Lawyers, naturally and honestly enough, are inclined to ascribe all errors and follies of the courts to the want of professional training in the judges, and laymen are too ready to accept this interested judgment as conclusive. But this assumption is only pardonable because the habitual professional prejudice upon which it is founded has too long been amiably or ignorantly tolerated. It is notorious that the Romillys of the legal profession, however eventually successful as reformers, are always in an exceedingly small minority, and that their merits are seldom understood and appreciated by their contemporaries of the gown. We of this generation are witnesses of a remarkable illustration of this professional conservatism. For more than a century and a half after the juries in Essex and Middlesex had turned the tide of persecution against the alleged witches, the lawyers both of Old and New England stubbornly adhered to, and the judges continued to expound with every refinement of reason-



ing, a stupendously absurd system of evidence apparently contrived to make the judicial ascertainment of truth as difficult as possible; and while we are saved from despair over the prospect of ultimately mitigating or removing other flagrant evils in our judicial system by the knowledge that this learned rubbish has at length been finally relegated to the oblivion it deserves, it is still not to be denied that the lawyers who are unreconciled to the common-sense innovation by which this obstruction to justice was overcome, are not among those who are held in lowest repute for their professional ability and attainments.

The testimony admitted in the witch-trials, here in 1692, was, I repeat, admissible by the rules of evidence then generally recognized by the most eminent lawyers; and as to the crimes alleged, the indictments, in some instances, were copied, *verbatim*, from the most approved precedents.<sup>1</sup> Newton, the first prosecuting attorney, was, as has been said, a trained lawyer; and while it would be unjust to charge upon him the sole responsibility for the results of the so-called trials in the Court of Oyer and Terminer, or even for the manner in which those trials were conducted, — the admission of spectre evidence, the assumption that the accused were guilty, the inducements used to extort confessions, and the

<sup>1</sup> It is hard to form a satisfactory conjecture as to the cause of the confusion in the forms of indictments preferred at different times during the course of these prosecutions. In two instances only — the second indictments against Rebecca Eames and Samuel Wardwell, respectively — was the felony expressly charged to be in violation of the statute of James I. These indictments appear to have been drawn in blank by Newton, or under his direction, and to have been subsequently filled in by Checkley; but the latter, in the indictments which he himself drew, made the allegation of the breach of the law broad enough to comprise, also, the colonial ordinance. Again, it is not improbable that the violation of different statutes may have been purposely charged on account of the very uncertainty of the law, and, where different indictments were found against the same person, from a desire to hold the prisoner to answer to at least one valid indictment. On the other hand, there is no indication of any doubt or scruple in the minds of the judges, who, in that period of loose criminal practice, were probably not more solicitous for the safety of culprits than were contemporary judges in England, and who doubtless were entirely satisfied with the very general advice of the reverend clergy, in their "Return," to them and their associates in the council: "Nevertheless, we cannot but humbly recommend, unto the government, the speedy and vigorous prosecutions of such as have rendered themselves obnoxious, according to the directions given in the laws of God and the wholesome statutes of the English nation, for the detection of witchcrafts." — *Hutchinson's Hist.*, vol. ii. p. 51.

menaces against those who denied their guilt; all of which he must, at least, have approved of or connived at,—the candid student of those judicial proceedings will not fail to notice that it was not until after this thoroughbred lawyer had been superseded as prosecuting attorney that the juries began to acquit.

In regard to the copy of the act to reverse the attainders, etc., in the court files at Salem, I did not at first deem it important to refer to the handwriting further than to mention that the copy was made in the Secretary's office, although the experts at the State House were confident that other manuscripts, evidently by the same hand, were Addington's; but an intimation that the actual passage of the act in question has not been put beyond all doubt by the evidence already adduced, makes it important for me to say, here, that a critical comparison of the copy at Salem with specimens of Secretary Addington's handwriting of about the same date, the genuineness of which is unquestionable, leaves no doubt that the copy procured by Sewall was written by the Secretary himself, and has, therefore, the value of an authentic transcript, although it does not now bear, if it ever did, any formal attestation.

It should also be mentioned that this copy is not the only contemporary evidence, besides the record and the printed act which has been heliotyped, of the passage of the act; for the petition of Samuel Wardwell in behalf of his mother (Feb. 19, 1711-12) declares that her "name is not inserted in the late Act of the General Court, for the taking off the attainer of those that were condemned;" and Elizabeth Johnson, junior, in her petition (of the same date), after stating that the General Court "hath lately made an Act for taking off the Attainder of those that were condemned for witchcraft in the year 1692," represents that her name "is not inserted in said act," and prays that, if possible, it may be so inserted.<sup>1</sup>

Mr. GOODELL also produced a copy of Governor Shirley's proclamation, advertising the stamps which were issued to raise money to defray the expenses of the expedition against Crown Point at the beginning of the French War. He exhibited the first printed form of an original writ ever used

<sup>1</sup> See these petitions on file in the Clerk's office, or as printed by Woodward, vol. ii. pp. 242, 243.

in Massachusetts; and a broadside giving the news of the preliminaries of the peace of Ryswick, in 1697.

Mr. WINSOR introduced a letter from Mr. Charles G. Leland, of Philadelphia, in which he spoke of the very large number of Indian legends which he had collected, and of the Norse-like element in the myths, which he pronounced fully equal to anything in the Edda. There is still extant in New England and Canada an almost undiscovered literature of this sort, which is of immense value.

A new serial, including the Proceedings for November and December, was laid on the table by the Recording Secretary at this meeting.

Dr. CLARKE contributed a Memoir of the late Rev. Dr. William Newell.

MEMOIR  
OF  
WILLIAM NEWELL, D.D.

BY JAMES FREEMAN CLARKE.

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WILLIAM NEWELL, D.D., minister of the First Parish, Cambridge, for nearly thirty-eight years,—and a member of our Society from December, 1854, until his death, in October, 1881,—was a man universally respected, and one beloved by all who knew him. The sweetness of his disposition was a birthright; he brought it into the world with him. But his fidelity to duty, his patience in trial, his constant industry, composed a character which attained its perfection as the result of life-long effort and training. He grew more and more tender, humane, and kindly with his advancing years. He met many discouragements, but was never discouraged. That which might have disturbed other men, or thrown gloom over their later days, left him so cheerful that calamity lost its sting, and failed to do him any harm.

The life of Mr. Newell was uneventful. He was born in Boston, Feb. 25, 1804, and was descended from a Bristol merchant, who settled in Charlestown in 1630. His father, Jonathan Newell, died in Boston in 1831. His mother's maiden name was Nancy Tuttle, and she was born in Littleton, Massachusetts. William Newell entered the Boston Latin School in 1814, having been prepared for that institution by Mr. John Lathrop, who gave him a recommendation to Mr. B. A. Gould as "a child of uncommon sweetness of temper, and, as a scholar, attentive to study and correct in deportment." He had a taste for literature, and wrote essays and poems which took prizes in the Latin School. He entered Harvard College with the class of 1824, and graduated in that year as the second scholar; Edward Bliss Emerson, brother of Ralph Waldo Emerson, being the first in rank.

His intellect was early mature, and his judgment singularly sound, if we may judge by what has been preserved of his compositions of that early date. The subject of his valedictory oration was "The Duties of College Students as Men and Citizens." It was filled with sound and earnest appeals to his fellow students to do something for the country which had done so much for them; exhorting them to cherish and practise a true patriotism, not one of mere words, or founded only on habit, but based on a conviction of the worth and claims of the nation on their public spirit. This tone was more common in those days than it has been since. In recent times it has been the fashion to treat such sentiments more lightly, and to undervalue the enthusiasm which is so proper to youth. The affectation of having old heads on young shoulders has replaced, in many instances, the generous fire of the earlier days. Yet probably this is more a fashion of speech than a deep conviction; and if another call should be made on the youth of the University like that of 1861, the answer, we doubt not, would be as prompt and self-forgetting as it was then.

In 1825 Mr. Newell was appointed an usher in the Boston Latin School, with a salary of \$600. He next entered the Harvard Divinity School, and graduated in 1829. In the same year he made a journey to the South, preaching in different cities. In 1830 he received a call from the First Parish in Cambridge to become its pastor, and accepted it. He remained the minister of this church during thirty-eight years, and was always listened to with respect and affection. He grew, every year, in the knowledge and love of God. Older men regarded him as a son; those of his own age as a brother; and the younger looked up to him as the kindest of fathers and friends. So his years passed by, peacefully and happily. He saw a great change take place, during the period of his ministry, in society, manners, arts. The year that he was settled saw the beginning of the anti-slavery movement. His ministry lasted some years after the end of the Civil War and the downfall of slavery.

In 1835 he married the daughter of William Wells, a distinguished scholar, writer, and teacher. Averse to controversy, he seldom engaged in theological discussion, though accepting fully the belief of the Unitarian denomination. It

was the custom, when he was settled, to elect the pastor by the voters of the town, and to pay his salary by town taxes. Long before he left the church, it became a voluntary association. Its connection with the University was also dissolved during his time, a change of circumstances making this desirable. Before his settlement a part of the society had seceded and formed the "Shepard Congregational Society." This minority protested against the settlement of Mr. Newell; but he was not obliged to take any part in the controversy, and never did so. After his separation from his pastoral care in 1868, he still continued to perform many duties of the office, and was constantly called on to visit the sick and dying, to assist at weddings and funerals, and was always in his place in his pew. He died Oct. 28, 1881. His favorite maxim during life was that which he wrote on the cover of his first sermon: "Serve God, and be cheerful."

Mr. Newell did not publish much; but all he wrote was remarkable for purity of style, perfect taste, and a mastery of the English language. He prepared several articles for our Society, including notices of deceased members, and other papers. The history of "The Cambridge Church Gathering," with notes, printed in a memorial volume after his death, shows much aptitude for historic research, and preserves valuable facts from the earliest days of New England.

In closing this brief notice, I cannot better show the spirit of our associate than by transcribing here a sonnet which he wrote on New Year's day, two years before his death, which he showed to no one, and which was read for the first time at his funeral by the Rev. Francis G. Peabody.

"Under God's eye, and trusting in his love,  
I launch my boat upon another year,  
And leave to him, my Pilot, safe to steer  
My leaky bark unto the port above.  
Back to the checkered past to-day I look,  
With grateful memories of all he gave,  
While on the shadows of each household grave  
Falls a soft sunshine from the Holy Book.  
Soon shall I leave my dear ones of the earth;  
Soon shall I meet my dear ones gone before.  
The body's death is the freed spirit's birth,  
And the dark grave to Life the secret door;  
While to Faith's quickened ear the funeral bell  
Blends the glad welcome with the sad farewell."

## MARCH MEETING, 1884.

The monthly meeting was held on Thursday, the 13th instant; the Hon. ROBERT C. WINTHROP being in the chair.

The Recording Secretary read the minutes of the previous meeting.

The Corresponding Secretary stated that Mr. Uriel H. Crocker had accepted his election as a Resident Member, and that General George W. Cullum had signified his acceptance of Corresponding Membership.

The Librarian presented the list of donors to the Library for the past month, and mentioned that one hundred volumes had been bound from the income of the William Winthrop Fund.

The PRESIDENT then offered the following remarks:—

I shall not detain you this afternoon, Gentlemen, by any words of my own. I have no letters or gifts to communicate, and happily no deaths to announce. We have an election to complete, and the First Section is in order for communications, including members from A to F. I venture to hope that there will not be much time occupied by these communications, in view of what is to follow.

Our usage is to rely on our Resident Members for occupying the brief time allowed for our meeting; but we are always glad to have any of our Corresponding Members present with us, and from time to time we have had interesting and valuable papers from them. The late George Washington Greene, and Professor Dexter of Yale College, have read papers before us, within the memory of us all, for which we have been greatly their debtors. I could not hesitate, therefore, to assure a hearty welcome to one of our oldest and most accomplished Corresponding Members, in reply to his suggestion of a disposition to come on from New York and address us at this meeting. A New England man himself, he has long been known as a devoted historical student, and as a diligent investigator of controverted subjects in Massachu-



setts history. A recent communication of his to the American Antiquarian Society at Worcester has given occasion to much interesting discussion at more than one of our meetings. We shall all welcome, I am sure, the additional notes on the Witchcraft question which he is prepared to lay before us.

After calling, therefore, under our rules, upon our First Section, I shall take pleasure in presenting to you Dr. George H. Moore, of that most interesting institution,—the Lenox Library of New York,—the memory of whose munificent founder is honored by us all.

Dr. ELLIS presented the certificate of membership of Colonel John Popkins, the father of Professor Popkin, and an original member of the Society of the Cincinnati, which was signed by Knox and Washington.

The Hon. Martin Brimmer, of Boston, was chosen a Resident Member, and the Rev. George W. Blagden, D.D., was elected a Corresponding Member of the Society.

Mr. COBB then read the subjoined letter:—

TAUNTON, October 22d, 1786.

SIR,—I have been honored with your Excellency's Letter of yesterday, per express, with its enclosure.

The rumor of an opposition to the sitting of the Supreme Court here, did not take place till within ten days past, and indeed now it is chiefly from the towns of Rehoboth and Freetown; but that the disaffected in the other parts of the County will join them, is to me a matter of no doubt. It has been my private opinion that the opposition to the Supreme Court in the two Western Counties would most certainly be attended with the like event here, and your Excellency will permit me to observe, that it has been a most mortifying reflection that Government had not foreseen this evil, as it is the natural consequence of a determined Combination to oppose every species of Authority.

I shall make use of every exertion to support the dignity of Government, that the shortness of the time will permit; at present I can only depend on two Companies of Militia from Raynham and a Company of Volunteers of this Town which will be attached to the Artillery. Other Troops are ordered, but being at a distance I shall make but small dependence on them.

The number of the Insurgents is very uncertain, but if they are not joined by others from the neighboring Counties, the little force I have

will be sufficient. If we fail, your Excellency shall have no cause to complain of the want of exertion in the Friends of Government here.

I have the honor to be, with the greatest esteem and respect,

Your Excellency's Most Obedient Servant,

DAVID COBB.

His Excellency, Governor BOWDOIN.

On motion of Mr. Smith, it was voted that the Treasurer be authorized and directed to add to the balance of income of the Massachusetts Historical Trust Fund, now in his hands subject to the drafts of the Committee for publishing the Trumbull Papers, the income of said fund for the year ending Sept. 1, 1883, to be used for the volume in preparation by them, according to the plan already sanctioned by the Society.

Messrs. Haynes, Foote, and G. S. Hale were appointed a Committee of Nomination in view of the approaching Annual Meeting; and Messrs. Cobb and Abbott Lawrence, a Committee on the Treasurer's Accounts.

The PRESIDENT then introduced, in fitting terms, Dr. GEORGE H. MOORE, who presented the following "Supplementary Notes on the History of Witchcraft in Massachusetts," with reference to Mr. Goodell's paper on the same subject, presented at the meeting in June, 1883:—

First of all, I desire to acknowledge the characteristic and generous courtesy of my friend, who has challenged in so charming and chivalrous a manner the correctness of some of my statements. One would almost be willing to go astray to be brought back to the right path so kindly. I venture to differ from him with the highest respect. I am sure of his sympathy in the present attempt to explain my position and to throw such additional light upon the chief point at issue between us as the explanation may furnish. I think I shall make it clear that I have not been mistaken in my assignment of error.

In my Notes<sup>1</sup> I pointed out as an error in the current history of witchcraft in Massachusetts the statement that the General Court passed an act reversing "the several convictions, judgments, and attainders against the persons executed, and several

<sup>1</sup> Notes on the History of Witchcraft in Massachusetts; with Illustrative Documents. By George H. Moore. Proceedings of the American Antiquarian Society, October, 1882, vol. ii. n. s. p. 162.

who were condemned but not executed." I did not neglect to add that "an act of this sort has actually been printed, and has found place and authority among recognized materials of history; but no such act ever became a law." I also referred to a private act of 1703, reversing the attainders of three of the sufferers, and added: "This private act was the only law of the kind which can be found in all the legislation of Massachusetts."

The writers whom I criticised furnished no authority for their statements respecting the law in question which was deemed sufficient by the State Commissioners to warrant them in recognizing it as a completed act of legislation. It is not to be found in their grand collection of all the Province Laws, — that noble and lasting monument of the wise liberality of the Commonwealth, as well as the rare learning and ability of the Editor. From that fact I gained fresh confidence in the results of studies which had led me to deny the existence of any such law before the point was thus so authoritatively settled.

But the present situation is much changed. Since the first volume of the Province Laws was published, Mr. Goodell has made an interesting discovery, which he regards as conclusive in determining the validity of the act in question and establishing its authority as a complete law. I sincerely regret that I am unable to agree with him in this conclusion; but my reasons will appear in what I have to say on the present occasion.

Mr. Goodell has not only met my statements by the confident assertion that such an act was actually passed, but he has produced a document bearing the imprint, "Boston: Printed by B. Green, Printer to His Excellency the Governour and Council, 1713." He has most kindly and promptly furnished me with a fac-simile of it, together with copies of everything at his command to illustrate its history. These, however, do not include any explanation of its long concealment (through more than a century and a half), or whence it has now come to assert its own existence and authority, and to challenge the criticism which is its due. It is hardly necessary for me to say that it was entirely unknown to me, or to explain that it is not the same thing to which I referred in my paper. It was equally unknown, no doubt, to all the writers whose statements I contradicted.

"There can be no averment against a record," is good history as well as good law; but history and law alike require that a record shall be complete. The House of Representatives of Massachusetts, in 1770, gave Lieutenant-Governor Hutchinson one of their carefully stated legal opinions, from which I venture to quote an appropriate passage:—

*"No law can be valid unless it be enacted by the Governor, Council, and House of Representatives assembled in General Court; and this must appear from the Parchment roll wherein the act is recorded, otherwise the record itself is not complete, and it becomes necessary to resort to dehors Evidence to prove a fact essential to the validity of the Act, which is against the established rule respecting Records."*<sup>1</sup>

The rolls of the acts were in parchment under the Province Seal.<sup>2</sup> It may be difficult to explain to a generation which has almost forgotten the efficacy of any seal, excepting that which certifies the brand of a favorite wine, that awful mystery of authority and sanctity which belonged to seals, from the Great Seal of the Kingdom, or that of the Province, down to the curious little impressions in wax which still sometimes puzzle the heraldic and genealogical studies of local antiquaries. But "the men of Massachusetts" in the eighteenth century had not forgotten the traditions of their fathers; and every detail of due formality in legislation was then as carefully observed as ever was the etiquette of an imperial court or a royal household.

The history of this attempt at legislation may be briefly told. A petition had been prepared to be presented to the General Court in October, 1708, and was presented to the Council in the following year, for an act to "restore y<sup>e</sup> Reputations to the posterity of the sufferers [in the witchcraft of 1692], and to remunerate" them for their losses in property. Here are two things to be done, which must be kept in

<sup>1</sup> Journal, 1770, p. 134.

<sup>2</sup> This usage apparently did not prevail under the first charter; for in the "Observations upon the Laws of Massachusetts, October, 1692," "It is humbly enquired whether the Act for continuing the local Lawes to stand in force, &c., be not a breach upon the method appointed for the makeing of Lawes either by the old Charter or New settlement having never any of them been ingrossed in parchment or a seals affixed to them and haveing been declared voyd by the King's Council learned in the law for want of such method of enacting," etc.—*Province Laws*, vol. i. p. 109.

mind: 1. Restoration of reputation; 2. Remuneration for losses in property.

The only immediate action was to order a bill for the first of these claims, — restoration in point of character; and accordingly the Bill to reverse the Attainders of several Persons for Witchcraft was read three several times, debated and passed on the same day (June 10, 1709), the names of the persons to be agreed upon by both houses for insertion in the bill subsequently.<sup>1</sup> There is no evidence whatever in this record to justify the inference that there was a general feeling in the Council in favor of pecuniary reparation, — that part of the petition being entirely ignored.

Nothing further was done during that session; but the bill was again read and voted to be revived on the 9th of November in a subsequent session, and sent down to the House of Representatives for concurrence, which it failed to receive.

The next step forward was not taken until after the beginning of another political year, in a new General Court, on June 27, 1710, when a bill of the same tenor, if not the same bill, appeared in the Council, with an order annexed thereto appointing a joint committee to inquire, —

1. What names should be inserted in the bill to reverse the attainders of the sufferers; and

2. What damages they sustained by their prosecution.

Here, for the first time, we find the claim for compensation noticed by the legislature, more than a year after the time when it is alleged that the feeling was general in the Council favorable to such action. Again: although the committee thus appointed performed all the work they ever did on the subject in this second year, no further trace appears of legislative action until the autumn of the third political year. The result of their labors was a report containing, (1) a recommendation of the names of twenty-two persons, out of the thirty-one condemned, to be inserted for the reversing of their attainders; and (2) a statement of the several sums of damages which the committee thought would be readily complied with by the legislature, to be paid to the same persons whose at-

<sup>1</sup> Why any delay was necessary in agreeing upon the names to be inserted, why agreement was suggested, unless there were differences of opinion of a serious nature, can hardly be explained.

tainers they thought should be reversed, the names of Sarah Wardwell and Elizabeth Procter being coupled with those of their husbands respectively in the award. These women had been relieved of their attainder by a previous act of the legislature in 1703, as well as Abigail Falkner. This woman, who was condemned Sept. 17, 1692, reprieved and afterwards pardoned by Governor Phips, was not only awarded damages, but recommended for a third purgation by this committee. Why she needed or received this triple relief from the pains and penalties of her conviction and sentence does not appear.

The remaining victims —

Bridget Bishop, executed June 10th,	
Susanna Martin, " July 19th,	
Alice Parker, " September 22d,	
Ann Pudeater, " " "	
Margaret Scot, " " "	
Wilmot Read, " " "	

and Elizabeth Johnson, Jr., condemned Jan., 1693, but not executed —

were not included in any legislative benefit.

Perhaps the following brief letter from one of the committee to Major Sewall will furnish the clew to an explanation of this fact: <sup>1</sup> —

MR SEWALL. — S<sup>r</sup> I thought good to returne to you y<sup>e</sup> names of severall psons y<sup>e</sup> were Condemned & Executed that not any person or relations Appeared in y<sup>e</sup> behalfe of for y<sup>e</sup> taking of y<sup>e</sup> Attainder or for other [their?] Expences, they I supposed were returned to y<sup>e</sup> Gen<sup>l</sup> Courts consideration for to act about according to their best prudence. Bridget Bishop alias Oliver, Susanna Martin, Alice Parker, Ann Pudeter Welmot Read, Marget Scot.

S<sup>r</sup> I am y<sup>r</sup> Honors to Serue,

NEH. JEWET.

"The best prudence" of the legislature in leaving out all who were not claimants or represented by claimants of money, etc., may explain their omission or reluctance to make a general act.

Another letter of Nehemiah Jewett to Stephen Sewall, dated 28th November, 1711, furnishes a list of the names of the respective sufferers, and the sums that the petitioners

<sup>1</sup> Records of Salem Witchcraft, vol. ii. p. 249.



prayed for. A comparison of this list with the report to the legislature will show that in every instance (excepting one, and that evidently a clerical or typographical error) the amounts allowed were exactly the same as those prayed for. Why the committee stated in their report that they had heard the several demands, etc., and that upon conference these were moderated, etc., remains to be explained.

This report of the committee, bearing date "Salem, y<sup>e</sup> 14<sup>th</sup> Sept<sup>r</sup>, 1710," was read and accepted in the House of Representatives, and sent up for concurrence on the 23d of October, 1711. It was concurred in by the Council on the 26th of October, and appears of record as having been consented to by the Governor. As without his consent or approbation, signified and declared in writing, no law could be of any force, effect, or validity whatever,<sup>1</sup> so this report, being an act made by the House of Representatives and the Council, became valid as a statute by the same consent.<sup>2</sup>

On the 27th of October, 1711, the day after the report of the committee became a law, the bill for reversing the attainders appears again, with the record that it had been passed by the General Assembly at their sessions, 1709,<sup>3</sup> to be engrossed, and a committee had been appointed to consider the names of persons to be inserted, and upon their report now inserted, was again read and passed to be engrossed.

On the 2d of November the General Court Records state that the engrossed Bill to reverse the Attainders of George Burroughs and others for Witchcraft passed in the House of Representatives, was read and concurred to be enacted. So far we have the record, — but no farther. "Here," says Mr. Goodell himself, "we encounter a doubt which cannot be wholly removed without reference to external evidence." There is no record evidence whatever of the consent or appro-

<sup>1</sup> Province Charter.

<sup>2</sup> Barrington on the Statutes, p. 46.

<sup>3</sup> This may have been a clerical error for 1710, as the committee was certainly not appointed in 1709, — no very remarkable error, either, all things considered. Mr. Goodell says "the bill had been kept alive by virtue of a general order passed the last day of the second session of 1711, continuing all unfinished business to the fall session." He does not explain how the bill retained its vitality during the previous year, — from June 27, 1710, till the 7th July, 1711. But its history exhibits an unprecedented series of resuscitations after parliamentary death, of which its present resurrection is perhaps the most marvellous.



bation of the Governor, which was absolutely necessary to give any force, effect, or validity to the enactment. "From the nature of these records, it follows that an entry of final passage is not conclusive evidence of complete enactment."

I have the highest authority for the statement that the Governor's consent was indicated upon the passage of a bill:

"From 1693 onward the invariable practice was to sign as follows:

'I consent to the enacting of this Bill.

RICHARD ROE.'

"This was preceded by the usual memoranda of passage by the two branches. The memorandum of the Governor's consent was sometimes prefaced 'By his Excellency, the Governour,' and this finally became the general practice."

There is, therefore, no probability of setting up any record evidence of Governor Dudley's consent to this act. It must be proved, if it is proved at all, by "dehors evidence."

The difficulty thus encountered is very serious, and we must have some other evidence to supplement the bare presumption that the bill received the Governor's signature, and passed the Province Seal. The original records of acts are said to have been consumed in the great fire of 1747;—the engrossment of this act is not in the Secretary's office; nor is a copy of the bill, or the original draft thereof, to be found among the archives. No mention of any such act has been found in the Public Record Office in London, nor any indication of its existence in the British Museum or in any other known collection, public or private, excepting the well-known manuscript at Salem, and the printed sheet of 1713 (now produced), which also comes from Salem.

The copy at Salem, although it is said to be in a handwriting which those familiar with the Massachusetts archives can identify as that of Addington or one of the nameless clerks who assisted him in the Secretary's office, was not attested, and bore on its face no evidence of having been signed or sealed, and was without the usual memoranda showing the dates of the several stages of its passage and the fact of its publication.

Thus, although it has been considered as an official copy, which was procured by an attorney who had been employed for

the purpose, and by him placed on file among his official papers, it bears only the slightest evidence of authority for the supposition that the bill ever became a law. The inference is unavoidable, that it was inchoate, and at best was indicative of what might have been regarded as due to the petitioners, or what they themselves desired, but which they may have been, either willingly or unwillingly, obliged to relinquish, perhaps in consideration of receiving pecuniary relief.

Sewall's employment to procure "a copy of the act" bears the date "December, 1711." It was therefore obtained probably at the same time with the warrant on the Treasury, which was dated (Dec. 17, 1711) more than six weeks after its passage, and certainly not less than a month after the end of the session,<sup>1</sup> when, if ever, the enrolment of the law must have been in the Secretary's office. Why is it incomplete? The only explanation possible is that the act was not completed. The only complete enactment on the subject at that time was the report of the Committee of Award and Distribution, which, as I have said, became itself an act or law by the signature of the Governor.

It will be important to keep this fact distinctly in mind throughout the whole of the argument which is to follow; and I repeat it. The report of the committee which related to both the reversal of attainders and the award of indemnity became a law in October, 1711. The bill for reversing the attainders, which made no reference whatever to any pecuniary benefit, never became a law, although it passed through two branches of the legislature, Nov. 2, 1711.

This latter bill, if recognized and accepted by the Commissioners, must stand alone by itself, without peer or parallel in all the legislation of the Province of Massachusetts. I find not one act in the whole series so nearly without any support, so improbable in itself, or so questionable in shape as it now reaches us.

Mr. Goodell refers to other acts of the same year (1711), about the completion of which he had entertained doubts which were afterwards cleared up. But this act was not among them, and differs entirely in its status. All those

<sup>1</sup> The fifth session of the General Court of 1711-12 ended on the 10th of November, 1711.

referred to are known to have been printed contemporaneously in due course and by regular official authority, — two of them in the supplements to the edition of 1699; one of them a Temporary Act of short continuance, published by proclamation; and a fourth a Tax Act, always in those days printed separately.

The only additional light which has enabled Mr. Goodell to accept and assert the genuineness of the act is the production of a copy purporting to have been printed by the official printer two years after the date of its passage through two branches of the legislature.

In ordinary cases this might be taken as conclusive, carrying on its face presumptive evidence that the necessary approval of the Governor could not have been wanting. Very high notions were in vogue at that time about the dignity of the General Court as well as the Chief Magistrate; and it is difficult to believe that the official printer would dare to print as an act of the legislature anything which in any way fell short of being so.

But, granting the fact claimed for it that it was printed in Green's office, it is possible that the printer's types were used for the purpose clandestinely, with or without his knowledge, that he was imposed upon or acted without proper authority, and that the sheet was either never publicly exposed or that it was promptly suppressed. Most certainly it has never been heard of before, or made any public appearance until now. The survival of such a leaf of legislation from that day to this, in one solitary printed copy, so far from supporting or being supported by the Salem manuscript, bears in itself the same damaging evidence of incompleteness, and provokes the same criticisms. It must be regarded as an imperfect and unsuccessful attempt to satisfy the claim for redress, which had been stumbling and halting through several years of hesitation between justice and expediency, and fell still-born into the hands of the thrifty clerk of the Salem courts, who became attorney for the poor and scattered members and representatives of those families which had been ruined in the diabolical storm of 1692.

The doubt is sufficient in my judgment to warrant the most sceptical criticism of the act itself as it appears in print, and the most careful scrutiny of every item of support that is

claimed for it. It is proper to repeat here that this newly discovered "printed act . . . which is believed to be unique," is the *only new evidence* in the case. The copy which is on the court files at Salem, printed by Mr. Woodward in 1864, was, and is, just as well fortified by the record as this printed copy of 1713, now first produced; and nothing is yet brought to support the genuineness of the latter, which is not equally conclusive in favor of the old manuscript.

Mr. Goodell says, however, that "the record shows that Dudley consented to the report of the committee, . . . and as this report supplied all that was wanting to make the bill, *which had passed the several stages of legislation*, complete," etc., the Secretary in making up his records might have regarded such record of consent as sufficient for the bill as well as the report.

Now the fact is, that the report was accepted in the House of Representatives on the 23d of October, 1711, and the Council concurred on the 26th, when the Governor also consented to it.

The act, however, for reversing the attainders, so far from having already "passed the several stages of legislation," had been slumbering quietly somewhere for a year and a half, and had not even been revived in that General Court before the report had become a law. Then, on the next day, Oct. 27, 1711, its long rest was disturbed, and the act was produced, read, and passed to be engrossed. But although thus hastily revived, it did not pass the stage of legislation necessary to make it "complete and ready for the executive approval" until November 2, one day less than a week after the approval of the report, so that it is not at all likely that the Secretary could have been mistaken or misled, or otherwise failed in his duty in the fashion suggested. The presumption here is in favor of that officer: *Omnia presumuntur rite ac solenniter acta*.

Mr. Goodell goes on to say: "This act having been passed and the required sum appropriated, a warrant, in due form, for drawing the same from the treasury, was issued by the Secretary and signed by the Governor, Dec. 17, 1711."

In this proceeding there was not the slightest reference to "this act," in any stage of it; but on the contrary the warrant itself expressly refers to the report of the committee accepted

by the General Assembly as its foundation and authority. We ask in vain, why was the act thus ignored? Why was it that an act was not drawn embracing all the recommendations of the committee, and furnishing a clear and unmistakable restoration, by the reversal of all the attainders and award of damages by authority of express enactment in the usual form?

Mr. Goodell adduces as further evidence that "the act became a law . . . the declaration to that effect of those who united in appointing Stephen Sewall to collect the compensation awarded to them by the committee, in 1711, and also their request that he procure a copy of the act."

The so-called "declaration to that effect" is that they "are informed" of the passage of "an act in favour of us respecting our Reputations and Estates;" and they authorize and request their attorney (Sewall), who was probably the informer, to procure "a copy of the said act" and "receive what was allowed." The only act which answers this description is the "report." Neither the act now produced nor the manuscript draft of the act preserved in the Salem court files has any provision or provisions "in favour of" the sufferers or their representatives "respecting their Estates;" and nearly one half of those who signed the power of attorney soon discovered that whatever the action of the legislature had been, it was of no use or benefit to them.

The wretched remnants of these poor families were unquestionably much more deeply interested in their "Estates" than their "Reputations," as affected by the action of the legislature; and the request for the "copy of the act" was probably a part of the apparatus of the attorney for the increase of *his* compensation, — certainly not of their allowances.

Mr. Goodell further calls attention to two distinct contemporaneous references to this act. Samuel Wardwell addressed a petition to the Committee of Distribution sitting at Salem, Feb. 19, 1712, representing that his mother's name "is not inserted in the late Act of the Generall Court, for the taking off the Attainder," etc. He adds: "My mother being since deceased, I thought it my duty to endeavour that her name may have the benefit of that Act. I therefore humbly pray your Honours to Represent this case to the Honourable Gen<sup>l</sup> Court, that my mother's name may be inserted in the

said Act."<sup>1</sup> He also desires further remuneration for losses and expenses by reason of the proceedings against his father and mother.<sup>2</sup>

Elizabeth Johnson, Jr., also presented a petition to the same committee, in which there are allusions to an "Act lately made by the General Court for taking off the Attainder," in which her name was not inserted. "Being very desirous of the favour of that Act," she also prayed the committee to represent her case to the General Court at their next session, that her name might be inserted in the act, and also that the Honorable Court would make her some allowance, etc.

Both these petitions have the same date of Feb. 19, 1712, — the date of meeting of the Committee of Distribution at Salem, at which, and perhaps by which, they appear to have been suggested; and both refer to an act, as though incomplete, to which they desired additions. Their advisers, Sewall their attorney and the minister of Andover, in whose handwriting both petitions are said to be, certainly could not have suggested such modifications of, or additions to, a statute which was already a law of the land. Although their clients may have been as stupid and worthless as Calef and Hutchinson (probably following Calef) represent them,<sup>3</sup> neither Sewall nor the Andover minister was likely to blunder in that fashion.

And these are all the references which I can hear of or discover made by contemporaries or anybody else until the recent historians adopted the Salem manuscript as a genuine law of the Province, and followed each other blindly without any apparent critical examination whatever. They are all that have been produced or can be found, so far, as contemporaneous testimony to support the allegation that the bill became a law. They are also the only notices of any such legislation which have been found in all the history and materials of

<sup>1</sup> It is somewhat remarkable that this man was ignorant of the fact that his mother's name had received the benefit of the previous act of 1708.

<sup>2</sup> Records of Salem Witchcraft, vol. ii. pp. 241-421.

<sup>3</sup> Calef says of Mary Post and Elizabeth Johnson, Jr., that they were ("as appears by their behaviour) the most senseless and ignorant creatures that could be found." (p. 141.) Wardwell, the other petitioner, does not seem to have been any wiser. Hutchinson (vol. ii. p. 60) speaks of Post, Johnson, Jr., and Wardwell as "three of the worst characters," etc.



history of Massachusetts from that day forward for more than a century.

Now these references, so far from establishing the completeness of the law, prove the contrary, and sustain the view which I have taken,—that it was unsatisfactory and incomplete. It may have been arrested at the stage in which the record leaves it, expressly because it was seen and known to be imperfect,—one third of the sufferers not mentioned at all, some restored a second time, names omitted, etc. In this view alone these petitions of Wardwell and Johnson become intelligible,—that as for several years before the matter had been taken up and then “allowed to subside,” in alternate fits of progress and delay, there was still an opportunity for inserting names in a future revision before the bill should become a law; and when the subject might be again before the legislature, it was hoped that further provision would be made in the way of remuneration.

In style and method, and literary treatment altogether, this act is without any parallel which I am able to recall in the legislation of Massachusetts or any other government. It is slovenly and inaccurate. Two places are left blank where the name of the wife of poor Giles Corey should appear twice, although it is correctly given in the same report of the committee from which the list is said to have been copied into the act, so that the negligence with which Mr. Goodell taxes the Committee of Award and Distribution—with justice, no doubt—must also be charged upon the authors of this bill in the legislature. It would be easy to multiply doubts suggested by its imperfections. These are such as greatly impair its substance and value as compared with its originally avowed purpose. It is imperfect, it is insufficient, notwithstanding its prolonged delays in preparation and postponements of action; in short, it is just such a bill as I should not expect Joseph Dudley to approve or consent to,—not only a Governor, but a Chief Justice who had experienced a review of his own doings in New York when Jacob Leisler's attainder was reversed by an act of Parliament (the only authority competent to pass such a law),—an act which has some features in common with that under discussion,—the historical preamble being untrue, and the reversal of the attainder of no value except as a motive and makeweight towards a



liberal indemnity to be sought from a subsequent New York legislature.

I have alluded to the Parliament of Great Britain as the only authority in all the British Dominions competent to pass a law reversing an attainder. This was not only the fact, but the mode of procedure always required that the royal assent should be previously obtained.<sup>1</sup> The exceptional character of bills for restitution of honors and blood has always been notable in parliamentary law. They are to this day first signed by the Queen, and are presented by a lord to the House of Peers by command of the crown, after which they pass through the ordinary stages and are sent to the Commons. Here the Queen's consent must be signified before the first reading; and if this form be overlooked all the proceedings will be null and void. After the second reading, the bill is committed to several members specially nominated, with "all the members of the House who are of her Majesty's most honorable privy council, and all the gentlemen of the long robe." Such bills receive the royal assent in the usual form, as public bills.<sup>2</sup> The "laws of England" in the tenth year of the reign of Queen Anne were certainly no less stringent than in these later years of Queen Victoria; and I think it would have puzzled the authorities of Massachusetts in 1711 to conceal, explain, or justify the manifest "repugnancy" of such an act as the one in question to English laws and English ways of making and administering them.

In the forms of procedure the doings of the Great and General Court were largely modelled upon those of the imperial legislature; and curious parallels may be discerned between the grand councils of the realm, organized and conducted at Westminster with all the pomp and ceremony befitting the representation of an ancient monarchy, and those of their humbler imitators on the edge of the Western Continent, between the forests and the sea.

Half a century later than the period to which our discussion refers, with the Sugar Act, the Stamp Act, and the Boston Port Bill almost in view before them, the Massachusetts

<sup>1</sup> Hatsell's Precedents, vol. iii. p. 337. "The purport of some bills must necessarily be communicated to the king, even before they are presented; as bills for the reversal of attainders," etc.

<sup>2</sup> May's Law of Parliament, 8th ed., pp. 832, 833, and authorities cited.

House of Representatives declared: "We shall at all Times think it our highest Honor and Happiness to make the Proceedings of the British Parliament our Example."<sup>1</sup>

I am not aware that any attempts were made by other colonies or provinces of Great Britain to pass acts to reverse attainders, — a proceeding which involved so direct an invasion of the prerogatives of king and Parliament<sup>2</sup> that even Massachusetts might have hesitated. It is measurably certain that neither the act of 1703 nor this alleged act of 1711 ever came under the notice of the Privy Council; for any knowledge of either of them would surely have commanded the attention of the crown lawyers, and elicited prompt and emphatic disapproval.<sup>3</sup>

Of course the fact that the General Court of Massachusetts had no right to pass such an act is no evidence that they refrained from the attempt; but Dudley must have known what were the methods and precedents of the law of England and practice of Parliament; and although he signed the act of 1703, he had an opportunity to be reminded of his duty as a servant of the crown between that year and 1711. I have already alluded to his connection with the judicial murders of Leisler and Milborne at New York in 1691. The attainder of Leisler was reversed, with all these customary formalities closely and minutely observed, in 1695. Dudley himself was at that time in London, and one of the witnesses in the examinations by the Parliamentary Committee.

When under a new governor in New York the Leisler

<sup>1</sup> Journal: 1702-63, p. 144.

<sup>2</sup> "Not even the king's pardon can restore or purify the blood; nothing but the high and transcendent power of Parliament." — *Blackstone*, bk. iv. cap. 31.

<sup>3</sup> An instance of the assertion of the royal prerogative in Massachusetts occurred in 1725 upon occasion of an attempt to promote a synod or assembly of the clergy. It was regarded as certain, in point of law, that the royal supremacy in ecclesiastical affairs, being a branch of the prerogative, took place in the Province, and that synods could not be held, nor was it lawful for the clergy to assemble as in a synod, without the royal license. The application, therefore, to the General Court which was then made was declared by the crown lawyers to be a contempt of his Majesty's prerogative, and the Lieutenant-Governor was rebuked for his failure to withstand and reject it instead of subscribing his consent as he had done. He was further directed to signify to those who had been active in the design that such an assembly was against law, and they should forbear to meet, on penalty of prosecution, by information, for a misdemeanor. The synod was not held. *Chalmers's Opinions*, vol. i. p. 12. Cf. *Hutchinson*, vol. ii. pp. 322, 323.

party gained the ascendancy, they signalized their revenge by turning the tables on their opponents, and new state trials resulted in the condemnation of Colonel Nicholas Bayard and Alderman John Hutchins to the same punishment which had been inflicted on Leisler and Milborne. They escaped the penalties, however, to which they had been exposed; and in 1703 the legislature of the Province dealt with the case in a fashion which might well have furnished instruction to Dudley. So far from attempting to reverse attainders by the act of a provincial legislature, they passed an act declaring the illegality of the proceedings against Bayard and Hutchins, and did not even presume to do that without the permission of the crown duly signified, as it is recited in the act, viz. :—

“Which matters having been fully heard and Examined before Her Most Sacred Majesty in Council at the Court at St. James's the 24th Day of January, 1702, upon Consideration thereof, Her Majesty being sensible of the Undue and Illegal Proceedings against the said *Bayard* and *Hutchins*, was then most graciously pleased in Her Royal Justice and Bounty, to order that her Attorney General here should be directed to consent to the Reversing those Sentences, and to whatever else may be requisite in the Law for the Re-instating the said Bayard and Hutchins in their Honour and Property, as if no such Prosecution had been.”<sup>1</sup>

Let us consider further the construction and contents of the bill in question. It affirms as a fact that in 1692 “several towns within this Province were infested with a horrible Witchcraft or Possession of Devils,” and makes a very emphatic and significant record of the reason why after a time a stop was put to the prosecutions, in the statement of a great dissatisfaction when they reached “Persons of known and good reputation.” They then thought it necessary to appeal to their Majesties the King and Queen. Their victims had no chance to appeal, and their only ground of appeal was from the probable consequences of their own madness and folly. The result of that representation is stated to have been a letter from Queen Mary the Second, bearing date the 15th of April, 1693, the terms of which as given might with justice be regarded as a supplement to the famous “Advice of the

<sup>1</sup> Act of 19th June, 1703, MS.

Ministers"<sup>1</sup> while the delusion was raging, and would have been of precious little value to those who were accused if the storm of this tyranny and wickedness had not already been long overpast.

The preambles go on to say, as the last of their incoherent and rambling apology, that "some of the Principal Accusers and Witnesses in those dark and severe Prosecutions have since discovered themselves to be Persons of Profligate and Vicious Conversation." The fact that they were so was perfectly well known from the beginning. They were the "vile varlets" of whom Robert Calef pungently reminded the champions of the witchcraft delusion when he so courageously encountered the wrathful indignation and unparalleled abuse of the great protagonist of that fearful drama, — Cotton Mather.<sup>2</sup>

In accordance with the report of the committee, as I have already stated it, the enactment provided for the reversal of the attainders against twenty-two of the sufferers, omitting nine of them, of whom two had been relieved by the act of 1703, so that seven still remained attaint, apparently, though of course not in fact, liable to the pains and penalties to which they had been condemned. One who had been relieved by the act of 1703 was also included in this act. As all the survivors had been pardoned by the Governor, the statement in the act that they were "lying still under the like Sentence of the said

<sup>1</sup> This "Advice of the Ministers" was upon inquiry about the matter of spectral evidence. It was artfully framed to turn the edge of avowed opposition to the use of so dangerous an instrument of conviction. It was eminently jesuitical; and its positive direction was to approve and justify all that had been done, and stimulate the actors to the zealous prosecution of their deadly work. There is an interesting volume in the Library of the Massachusetts Historical Society, which has been neglected, although well deserving attention. It is a copy of Cotton Mather's "Magnalia," with manuscript notes by his brother, the Rev. Samuel Mather, of Witney, Oxfordshire, England, who graduated at Harvard in 1690. It was apparently intended for an abridgment of the work and publication as such. Samuel Mather having been "on the spot when these things were transacted," — that is, present in Massachusetts at the time of the Salem witchcraft proceedings, his summary of them, though concise, is very valuable. He regarded the evidence for some of the prodigies as being so conclusive that one might as well doubt the existence of such a province as New England. He attributes the interruption of the proceedings to Governor Phips, saying: "*Sir William perceiving that spectral evidence was not to be credited, a stop was put to sanguinary measures.*"

<sup>2</sup> Calef, Preface, p. vi.

Court and liable to have the same Executed upon them" was simply false.

By far the most important provision of the whole act, and in fact the only one which would have been of any substantial value to anybody, was the concluding paragraph, by which all the officials of every grade who had been concerned in these outrages got their *quietus* and protection against "prosecution in the law."

We come now to the document itself, — the actual printed paper.<sup>1</sup> It is a single leaf, and to the practised eye, familiar with the fashion of printing the laws in those days, it presents every external aspect of genuineness. Indeed, I find it difficult to doubt that it was printed with the types of Bartholomew Green, and ornamented at the head with his new cut of the Royal Arms, which replaced its old, worn-out predecessor in that very year (1713).

But the black-letter type on the left — the next thing which strikes the eye — presents an uncommon appearance, both in the words and in the arrangement. It would be difficult to show anything like it in any other page-heading among all the laws in print. It was not customary to use those words, "Province of the Massachusetts Bay," before the general title, caption, or session heading which always preceded the titles of the several acts, whether one or more. The use of the black letter in the words "New England," "Boston," and "October" is also unusual. They were always in italics in the regular issues from that press. The date, too, of the day of meeting is given in Arabic numerals, which in the regular issues was always printed out in full Roman letters, e. g. "seventeenth," not "17th."

And here we reach the point of demonstration which not only justifies the suspicions already hinted at, but proves conclusively that this paper was printed not only for a purpose apart from the usual order and method of printing the laws, but also under the direction of some one not familiar with the routine of the office and ignorant of the details of the authorized official work of that press. The caption, which sets forth the authority of what is to follow, reads thus: —

<sup>1</sup> See the fac-simile of the "Act of 1711," accompanying Mr. Goodell's paper in the Proceedings of the Massachusetts Historical Society, June, 1883, p. 285.

"AN ACT, Made and Passed by the Great and General Court or Assembly of Her Majesty's Province of the Massachusetts-Bay in New-England, Held at Boston the 17th day of October, 1711."

The usual form would have been as follows:—

"AN ACT, passed by the Great and General Court or Assembly of Her Majesties Province of the *Massachusetts-Bay in New England*: Begun and Held at *Boston* upon *Wednesday* the Thirtieth Day of May, 1711. And continued by several Prorogations and Adjournments unto *Wednesday*, the Seventeenth of *October* following, and then met."

In the first the words "Made and" before "Passed" are not to be found in the caption of any contemporary publication of any other act, nor indeed in that of any publication of any other act or acts during the entire provincial period. I doubt whether it can be found in that of any copy of any act anywhere, excepting in the manuscript from which it was taken, to which I shall shortly refer again. The word "Majesty's" is correctly spelled, which had never been done before in the caption of any printed act of the Province of Massachusetts; for it was invariably spelled "Majesties" throughout the whole of the reign of Queen Anne, having been continued from the time of William and Mary and William III. without any alteration of this unmistakable tradition of Bartholomew Green's types until 1715, when the accession of George I. compelling the change of "Her" to "His" may have challenged the attention of the Secretary or the printer to the plural possessive. Even then it was not without difficulty that the new way finally triumphed. However this may have been, the fact is obvious that neither Mr. Secretary Addington nor Mr. Printer Green prepared the copy or read or revised the proof of the leaf before us. This is further shown by the remaining difference between the two captions, which is even more remarkable than those already mentioned. The regular official form invariably set forth the beginning of the Court, as well as its continuance, when the act or acts were of any other meeting or session than the first. In this case no notice is taken of either beginning or continuance of the Court, but the statement relates solely to the holding of what was in fact



the fifth session, with date of its beginning alone,—the session during which the act is alleged to have been passed.

I have already pointed out the fatal defects in the Salem manuscript which deprive it of authority as a sufficient record or copy of a record. A comparison of this printed paper with that manuscript will show that they are almost identical, and must stand or fall together. The manuscript furnished the text for the printer. No man can trace any other original.

Whoever procured the printing of this act, and whatever may have been the motive for it, it is apparent that either there was no application to the proper officer for an authorized copy of record, or if one was made, that it was unsuccessful. No legitimate beneficiary under such a law, wishing to publish it or avail himself of its provisions, would have failed to secure an exemplified copy; and the act itself, even if not technically a public act,<sup>1</sup> covered too many interests and would have commanded too wide an extent of public sympathy to have been forgotten. The inferences are obvious. There was no such law in the Secretary's office. The printing of this paper was surreptitious. The conclusion is irresistible. No such act became a law in 1711.

But there is a still more important argument to be noticed against the possible existence of this alleged law. It does not appear to have been known to anybody, even those who were most interested in the subject, until a comparatively recent period. Hutchinson, your great historian, evidently knew nothing whatever of the existence of any such law, although he was well acquainted with and mentions in his History<sup>2</sup> the "grants made for and in consideration of the losses sustained," etc., in the same year (1711), shown by the record preserved in the report of the Committee of Awards, with which we are now familiar.

The extracts printed in the Appendix to my Notes, etc., of proceedings in various years down to 1750, militate strongly against the genuineness of the act. I found no allusion to it in any of the petitions or legislative action thereon from the time when Philip English made his demand for redress in 1717 onward.

<sup>1</sup> If this act was a public act, my position is firmly sustained by the fact that it was not printed at the time with the other public acts of the same session.

<sup>2</sup> Vol. II. p. 62, note.



In 1737, when the Rev. Israel Loring, pastor of a church in Sudbury, preached the Election Sermon, he revived the subject with great boldness and vigor, insisting on the duty of that generation in the matter : —

"Now," said he, "though the loss of Parents cannot be made up to their surviving Posterity, yet their Estates may; And *the Question is* (if it be not beyond all Question) *whether a Restitution is not due from the Publick to them*, and we are not bound in Justice to make it. *Hereby Infamy may be taken off from the Names and Memory of such as were Executed*, and who it may be did not in the least deserve it; *as well as a Reparation made to their children for the injuries done them*; who remain to this day among us in mean, low, and abject circumstances."

When the House of Representatives initiated proceedings in the next year (1738), following the direction indicated by Loring's strong advice, it does not appear that they knew anything about the act of 1711. If there ever was any such law of Massachusetts, the roll in parchment under the Province Seal must have been at that time in the Secretary's office, in the same building in which their session was held; but instead of calling for its production and having it laid on the table before them by the Secretary, that they might see for themselves "who was y<sup>e</sup> sufferers," they instituted a correspondence with the officials in charge of the Salem records. At the same time their doings indicate some knowledge of the previous grants of money, but not the slightest recollection of the formal legislation which we are now called upon to accept as complete and genuine.

Governor Belcher, in 1740, renewed the effort in an earnest speech, in which he declared to the legislature: "I really think there is something incumbent on this Government to be done, for *retrieving the Estates and Reputations of the Posterities of the unhappy Families that so suffered*," etc.

The stirring appeal of Parson Loring and the emphatic official statement of Governor Belcher alike bear testimony against this act. They could not have been uttered by men who knew of the existence of such a law. Yet Loring was born in 1682, and graduated at Harvard College in 1701, and probably was never out of Massachusetts for any considerable time to the day of his death in 1772. Belcher, born a

year earlier (1681) and graduating two years earlier (1699), although absent in Europe for several years after leaving college, returned long before the agitation of the subject in the legislature, which is said to have resulted in the final enactment of the statute in question. Both were contemporaries, and could not have failed to be interested contemporaries, of the men and events of the witchcraft period itself and the following half-century. Their childhood was shadowed by the immediate traditions of the Devil and his works in Salem, and their manhood was haunted by the recollection of the sorrow and sufferings of the victims and their families. No man lived in Massachusetts from 1692 to 1750 who could have forgotten such a vindication of the witches, if it had ever been consummated.

That they did not forget is plainly shown by the language which I have quoted, and the fashion in which, after so many years of neglect and indifference, they demanded justice for the representatives of the victims of that infernal delusion,—that infamy might be taken off the names and memory of such as were executed,—that their reputations as well as their estates might be retrieved.

In the legislatures to which these appeals were addressed there were many, doubtless, who were old enough themselves to recall the thrilling incidents of the witchcraft period, and those assemblies were full of men familiar from personal knowledge or household traditions with everything which had been done, and especially much that had been proposed but not done,—a neglect which some of them evidently sought to amend. It is plain that these men did not think what had been done was sufficient, or that the aggregate of the appropriations of 1711 was an adequate compensation to the representatives of those who had suffered. They were not satisfied with what had been done. Doubtless there were great differences of opinion among the people. There must have been a powerful party in the legislature determined against further action. The struggle continued at intervals till the middle of the century, when, in 1750, the last recorded effort failed even to secure the attention of the committee to which it was referred. Mr. Goodell says of this committee: "It is not too harsh to say that it was their duty, in 1750, to report against reconsidering a claim which had been fairly settled, and the

reopening of which would have furnished a precedent for a general and formidable assault upon the Province treasury." But they do not appear to have made any such report or any other report, or even to have met for consideration of the matter. Although they were reminded of their duty by a resolution of the House of Representatives, months after their appointment, "directing them to sit forthwith, consider the petition to them committed, and report as soon as may be," I have not been able to learn that they did either sit, consider, or report, so that my friend's justification of their report may, without offence, be considered as superfluous.

The existence, then, of the alleged statute of 1711 remains to be proved. It is unnecessary to waste time in fruitless speculations about probabilities, or conjectures about things hidden or not revealed. "*De non apparentibus et non existentibus, eadem est ratio.*" Until some authority can be made to appear for the fact of completion of that law by due consent of the Governor, impress of the Province Seal, and formal publication, it cannot properly be said to have existed at any time as a law, and its counterfeit presentment must be relegated to the *limbo* of imperfect legislation, or that historical house of correction which, we are told, is paved with good intentions.

Let the cabinet in which its remains may be preserved bear the inscription *Tantum non lex — requiescat.*

It remains for you, Gentlemen, who are surrounded by the materials out of which must come the final determination of this and all other doubtful questions in the history of Massachusetts, to stretch forth your hands and set them fitly in order, with authority that all shall recognize and none may gainsay; so that we whose dwellings are remote from these sacred and perennial fountains, may come up from time to time out of the lands of the Gentiles, by the coasts beyond Jordan, slake our thirst without doubt or misgiving, and go our way rejoicing.

Mr. GOODELL, after the reading of the foregoing paper had been concluded, remarked:—

As might have been expected, our learned and ingenious associate has given us all that can be shown or surmised in

support of his original proposition, that the act of 1711 never became a law; and yet it seems to me that, fairly weighed against what has been shown on the other side, his arguments do not preponderate.

Admiration of the skill with which he hurled some of his shafts, to say nothing of a sense of peril, quite distracted my attention from some other of his points, made with equal felicity of expression. In short, I feel overborne by the torrent of eloquence to which we have listened, and am conscious of inability to rally, for the moment, so as to do justice to him or myself.

But let us glance at the issue as it stands. To remove a doubt never entertained until Dr. Moore denied the existence of the act in question, but which, starting from such a source, merits the most careful consideration, I have shown, first, from the journals of the Governor and Council, commonly called the "General Court Records," an entry of the passage, of the bill in question, to be enacted; second, I have referred to a contemporaneous copy, in the handwriting of the Secretary of the Province, filed in the office of the Clerk of the Courts, at Salem, where it has remained since 1711; third, I have called attention to three contemporaneous references to this act, by different parties interested;<sup>1</sup> and, fourth, I have produced, as the final test, a copy of the act, printed on a single leaf in the year 1713,—which copy, it is admitted, bears on its face conclusive evidence of having been impressed from the types of Bartholomew Green, then printer to the Governor and Council.

Now, to invalidate the last of these concurrent evidences, which taken together impress me as decisive, my friend, here,

<sup>1</sup> Dr. Moore infers (p. 88, *ante*) that, because in two of these instances the petitioners pray that certain names may be "inserted in the act," the act had not been actually passed. But this is hardly a necessary inference, since the act and an act in addition thereto would, by legal construction, constitute but one act; and therefore it is not difficult to conceive that the "advisers" of the petitioners may have seen no impropriety in suggesting such "modification of, or addition to, a statute which was already a law of the land." Again, both of the petitioners describe the act either as "the late act," or "the act lately made;" and one of them expressly prays that application may be made, "*at the next session*" of the General Court, to have her name inserted. Now what is the purpose of an act *in addition*, etc., but to make "modifications of, or additions to," some statute already enacted? And is there any rule limiting the operation of such an act so as to exclude the insertion of additional names?

asks you to believe that the act, of which we have a heliotype in our Proceedings, was surreptitiously printed. He does not suggest the motive, nor indicate with certainty the possible author of this deed. Perhaps he would have us believe that it was done by the printer's devil, to mark the end of an invidious rivalry with the recently dethroned Prince of Darkness, and to celebrate the absoluteness of his own less vindictive, though not always less provoking sway. However, I do not intend to carry my criticism beyond the sure support of incontrovertible facts. I am even willing to admit that I cannot conceive how the critical reasons for questioning the authenticity of the printed copy could be more ably or thoroughly presented than they have been in the paper just read; and yet I feel confident they do not in your minds overcome the strong presumption arising from the mutually corroborating circumstances which attest the genuineness of this copy, and from the absence of any conceivable motive for perpetrating the high-handed forgery which the alleged clandestine operations with Bartholomew Green's types would imply.

I will not then attempt to follow the critical argument in detail, but content myself with calling your attention to a fact which, if clearly borne in mind, may serve to lessen the rigor of the rules by which the argument should be conducted. It is not pretended that the printed act was one of a series of acts published by *authority*; but, on the contrary, it is assumed to have been printed, a year or two after its passage, probably to meet the demands of persons interested, who could not be so conveniently and cheaply supplied with manuscript copies.

Although bills of attainder after the Revolution of 1688 were considered public acts,—notwithstanding they had ceased to be of the nature of conclusive judgments, as formerly, but were in terms conditional and in their operation dependent upon some future act of the accused or some prospective judicial proceeding against him,—bills to reverse or set aside attainders were classed with private acts, both in Old and New England.<sup>1</sup>

Nothing, therefore, against the existence of such an act

<sup>1</sup> This was the case with the bills annulling the attainders of Lord Russell, Algernon Sidney, and Lady Alice Lisle (1 W. & M., 1st sess.); and with the provincial act, referred to by Dr. Moore, reversing the attainder of Abigail Faulkner and others, passed in 1703.

should be inferred from the fact that it does not appear in the first volume of the new edition of the Province Laws, since, according to the arrangement announced by the editors in their preface,<sup>1</sup> it properly belongs in the appendix, with other private acts, including the similar act of 1703. The title of this act does not, indeed, appear in the list of titles of private acts in that volume, and for the reasons I have heretofore given;<sup>2</sup> but upon Mr. Sainsbury's discovery of printed copies of the missing public acts of the same year, respecting which, in the matter of the Governor's assent, the record was similarly defective, it was immediately put in the list of titles of private acts reserved for the appendix, although it was too late to make the proper change in the printed volume. This was done in the hope that before the appendix should be printed, the certainty of the act's having been passed would be established; which happened, to the satisfaction of the editors, when the printed copy in question, exactly corresponding with the manuscript copy at Salem, came to their knowledge.

The fact that it was a private act should also cause us to treat with distrust any arguments against its genuineness founded upon discrepancies, in formal and typographical details, between this copy and the public acts printed in the regular series. There being no absolute or customary standard for private as well as for public acts, all those departures from uniformity which have been disclosed by the expert scrutiny of Dr. Moore are not shown to be less compatible with honesty on the part of the person or persons who printed or procured the printing of this copy, than is the absence of page-numbers, or than would be the presence of any peculiarity in the signature, paper, or press-work.

The same circumstance, moreover, weakens the force of another objection which Dr. Moore appears to think, if not insuperable, at least formidable; and that is, that the act in question does not appear to have been laid before the ministers of the crown. Private acts, not being regularly printed, often failed, possibly sometimes on that account, to reach the Privy Council. This is evident from the demands occasionally made for exemplifications of such acts, upon the Governor or the Secretary of the Province, by the Lords of Trade or from the Council Board. Hence less importance should be attached

<sup>1</sup> Page xxviii.

<sup>2</sup> Proc. Mass. Hist. Soc., vol. xx. p. 290.



to the failure to discover the mention of any particular private act in the Public Record Office. Besides, to insist on the importance of such a defect is to apply a rule which will equally unsettle the authenticity of several public acts. For instance, since no list of the acts of 1711 has been found in the British archives,—if, indeed, any such list was actually transmitted,—the proof of the passage of three of the public acts of that year must rest upon the existence of a printed copy or copies; for this, meagre as it may seem, is all the evidence that we have of the fact that these acts really passed the Province seal. Now, if this evidence is inadmissible, the acts must fall; there being no record showing that the Governor assented to them, and neither the original bill nor the engrossment of either having been preserved.

Yet Dr. Moore says these “are known to have been printed contemporaneously, in due course, and by regular official authority.” He fails, however, to add that this knowledge is derived from precisely the same kind of evidence upon which I claim to found my knowledge of the passage of the act to reverse the attainders. And while he informs us that two of these acts are in the supplements of the edition of 1699, he modestly refrains from telling us that only one perfect collection of these supplements exists, which he, its fortunate possessor, esteems an adequate reward for the expense of time and money, and for the great learning and ingenuity with which for many years his bibliographical researches for its completion were conducted.

Surely our friend’s comparison of the “status” of the act for reversing the attainders with that of other acts—for instance, the act for enforcing the order of June 12, 1711—should have been extended beyond the bare declaration, in five words, with which he disposes of the former. The category of each is identical; and if one is to be summarily “relegated to the limbo of imperfect legislation,” he should show with all possible cogency of reasoning and fulness of illustration sufficient grounds for exempting the public act from the same fate. The difficulty of the task should rather have induced than excused the attempt; for we cannot be presumed to know what circumstance in favor of the public act overbalances, in his mind, the cumulative evidence afforded by the presence, legitimately, in a public office, of a contem-



poraneous copy of the private act in the handwriting of the Secretary of the Province and by him indorsed "Copy," and minuted "examined," while not a scrap is referred to indicating that the public act was ever officially recognized.

I shall say something more on this head presently, after I have considered the objections which Dr. Moore discovers on the face of the printed act.

I am content to allow his criticisms upon the "style and method and literary treatment" of the act to pass for what they are worth, with the single observation, which I think he will approve, that of all literature in the world statute-books of the early part of the last century are the least likely to afford specimens of elegant diction, and that the frequent occurrence of acts to amend and explain those early statutes sufficiently attests the crudeness of the efforts of the average law-maker of that day, both in Old and New England, to frame his bills so as to express his intentions with ordinary certainty.

Therefore, after remarking, in order to show its slight significance, that the omission of the Christian name of Goodwife Corey was a piece of carelessness which, though unusual, can be capped by grosser instances even in the public acts of a much later day,<sup>1</sup> I proceed to examine the more important internal evidence which Dr. Moore points out as tending to prove the spuriousness of the act.

And, first, of the improbability of the passage of this act by the General Court, because the subject-matter belonged exclusively to the cognizance of Parliament. If Dr. Moore's views respecting the exclusive authority of Parliament to pass bills reversing attainders were well grounded — which I do not admit — he himself furnishes me with a conclusive answer in the present case, where he says: "Of course the fact that the General Court of Massachusetts had no right to pass such an act is no evidence that they refrained from the attempt," — an opinion admirably sustained by their passing, eight years before, the act to reverse the attainders of Abigail Faulkner and others, which our friend has printed, at length, in the appendix to his Notes on the History of Witchcraft, etc. It is therefore unnecessary to discuss the constitutionality of the act, which, by the way, was not questioned by the Solicitor-

<sup>1</sup> For instance, Prov. Laws, 1757-58, chap. 15; 1760-61, chap. 7; and 1768, chap. 16, § 1.

General of England when the act of 1703 was laid before him by command of the Lords of Trade,—a proceeding which Dr. Moore too hastily assumes could not have happened.

Nor need we inquire what differences in the organic law of the respective provinces of New York and Massachusetts Bay, or in the political ideas which prevailed in those provinces, or what dissimilarity in the special circumstances of any given case, may at any time have induced the legislatures of the two provinces to differ in their action. But it may be observed that in both provinces at that time the supremacy of Parliament was generally recognized. Its power, if not its right, to meddle, temporarily at least, with the internal affairs of either province, and even to disregard the qualified autonomy granted by the charter of Massachusetts, was not denied except by a very small party, constituting, however, the germ which slowly expanded into that resistless band of patriots which succeeded to power and glory in the Revolution. Nor should I omit to say that Dudley's change of opinion between the time of his signing the act of 1703 and the culmination of the movement for redressing the grievances of 1692 is not to be taken for granted.

Dr. Moore discovers another badge of spuriousness in the declaration, in the preamble of the act, that the survivors were "lying still under the like Sentence of the said Court and liable to have the same Executed upon them," which, he says, is false, inasmuch as the survivors had all been pardoned. Of course he does not mean to have us understand that the preamble expressly puts *all* the survivors in this category by the word "others," which, as the context shows, may have been intended to embrace only a few of the persons convicted and sentenced,—that is, "attainted."

But how many pardons were actually granted? and where is the record evidence? When were the charters of pardon pleaded? or in what manner were they communicated after sentence? Has my friend any other evidence that pardons were granted than the declarations of Mather and Calef, and the representations of some of the petitioners for redress? If he has, he ought to have adduced it to support his charge of falsehood. If he has not, we are bound to challenge the correctness of the inference he would force upon us, that all the survivors were pardoned.

Of the witnesses I have referred to, Calef alone implies that all the surviving convicts were pardoned; but the unsupported testimony of all of them would be entirely insufficient to prove that Governor Phips violated his instructions and set an example which was never followed by his successors.

The pardon of felonies was a prerogative of the crown which could only be delegated by express language;<sup>1</sup> and if pardons were granted by the Governor without such authority, the act was *ultra vires*. The authority has not been shown here. Hutchinson, who understood the law relating to this branch of the prerogative, does not pretend that Phips pardoned any of the condemned. His words are: "Those the governor reprieved, for the King's mercy."<sup>2</sup> Undoubtedly, as Hutchinson says, the three persons<sup>3</sup> convicted at the January term of the Superior Court of Judicature at Salem were reprieved; and some of the accused perhaps were pardoned after a reprieve, by royal charter or mandate, as appears to have been the case with Abigail Faulkner, who had been attainted by the Court of Oyer and Terminer. But what evidence is there that all the other attainted persons were pardoned? And if they were not pardoned, the statement in the preamble remains unshaken by this attempt to impeach it.<sup>4</sup>

But Dr. Moore goes further, and declares that neither the printed act nor the manuscript copy at Salem "has any provision or provisions 'in favour of' the sufferers or their representatives, 'respecting their Estates.'"

I hardly know how to account for this assertion; it is so

<sup>1</sup> See Proc. Mass. Hist. Soc., vol. xx. p. 148, and note.

<sup>2</sup> Vol. ii. p. 61.

<sup>3</sup> Dr. Moore's quotation from Hutchinson respecting the characters of these persons is liable, as separated by him from the context, to be misunderstood. The historian is not comparing them with the whole world, but with their companions. If they were thus, relatively, "the worst characters," they may still have been very decent people, as, in point of fact, I believe they were. See *ante*, p. 88, n. 3.

<sup>4</sup> The "pardon" which Calef refers to, and the "discharge" mentioned by others, were probably one and the same thing. Hutchinson gives us an idea of the blind deference paid to persons in authority, in the romantic incident which he relates of the release of a prisoner by the Governor's lady, who forged a warrant to accomplish her purpose with the prison-keeper. The story, which seems to be true, justifies the inference that the Governor was supposed to have unlimited authority in the matter of discharging prisoners. Hence, too, the peculiarity of the final jail-delivery on which Hutchinson briefly comments.

directly at variance with what I had supposed every lawyer would frankly admit was the inseparable incident of attainders everywhere throughout the realm and the dominions of England. Would our friend have us believe that no forfeiture and no escheat followed the attainders of 1692? If so, here again I am compelled to confess my ignorance of his authority, and to express my regret that he has passed over the subject so lightly in his paper.

We must not lose sight of the fact that all who suffered the extreme penalty of the law in 1692 were condemned before the passage of the act "setting forth general privileges," by which escheats and forfeitures in cases of felony were abolished, and that this act was subsequently disallowed by the Privy Council because of this very clause which was declared by them to be "repugnant to the laws of England."<sup>1</sup> That act was not made retroactive expressly or by necessary implication.

Now, whatever may have been the practice in this province after the passage of this act, and however convincing now appear to us the reasons that may be offered to show that a similar provision in the colonial "Body of Liberties" was operative under the new charter, it is certain that neither in Massachusetts nor at Whitehall did the notion at that time prevail that the "lands and heritages" of the condemned were exempt from forfeiture and escheat. Moreover, the act clearly contains nothing to prevent the "corruption of blood."

For my own part, I know of no reason for doubting that the attainders following the judgments pronounced against the persons convicted of witchcraft by the Court of Oyer and Terminer not only involved the forfeiture of all lands and other corporeal hereditaments, "for a year and a day, and waste," but that the real estate of the condemned escheated to the king, who, by the tenure of "free and common socage," as of the royal "Manor of East Greenwich," under which all lands in Massachusetts were held, was the immediate lord. This escheat, moreover, though not strictly a forfeiture, was an absolute sequestration of the realty; and, notwithstanding no actual entry may have been made, upon information or other-

<sup>1</sup> See note to 1692-93, chap. 11 in vol. I. of *Province Laws*; also *Proc. Mass. Hist. Soc.*, vol. xx. p. 282, note f.

wise, and no record of "office found"<sup>1</sup> remains, the estates of those who were attainted were, according to the maxim *Nullum tempus occurrit regi*, forever liable to seizure unless a pardon specially restoring the escheated lands should be granted by the crown, or unless the attainder should be removed by an act of the legislature.

Until the enactment of a proper bill of reversal and restitution, however, the blood of the condemned remained "corrupted," so that neither could he be the vehicle for the transmission of property by descent, nor his posterity take from him by inheritance. A pardon, whatever effect it might have had when granted with apt words and a special design to waive the escheat, could never avail to restore the forfeiture, or purge the blood of its "corruption."

Citations might be multiplied almost infinitely to show the utter insufficiency of a pardon from the king himself to avoid the consequences of attainder. In the language of Blackstone, which Dr. Moore has quoted, "Nothing can restore or purify the blood when once corrupted," even if a pardon be allowed "after attainder, but the high and transcendent power of Parliament."<sup>2</sup> In this province, of course, the General Court performed this parliamentary function.

Nor did attainders operate solely to the injury of the condemned and his kindred; for as they invariably had relation "to the time of the fact committed," they avoided all subsequent conveyances and incumbrances of real estate by the condemned; and as some of the diabolical practices alleged in the indictments in 1692 dated back many years, the attainders may have subverted the intervening titles of creditors and innocent purchasers.

That these direful effects were understood and dreaded at that time is shown by the horrible nature of Giles Corey's punishment, who, to avoid the lasting and ruinous consequences of attainder, bravely accepted the awful alternative of the *peine forte et dure*.

If, then, I am right in my opinion that the act in question

<sup>1</sup> "Where one is actually attainted, and his blood corrupted, and dies seized in fee, his lands cannot descend, but vest in the king without office found." Dane's Abr.; and see 4 Coke's Rep. [68 a].

<sup>2</sup> Commentaries, bk. iv. chap. xxxi. § 4. See also *ibid.*, chap. xxvi. p. 337, and chap. xxix. p. 376.

was necessary (and it is not material whether this necessity really existed or not, if the legislature believed it did) to secure immunity from this terrible ban, the "quietus," as Dr. Moore calls it, which the last paragraph of the act contains, — the protection of the executive officers concerned in the prosecutions of the alleged witches, — is by no means "the most important provision of the whole act." Nor is that exemption from lawsuits to be condemned as inequitable, if the purposes of the act in other respects were fully carried out; since the grant of full compensation to the sufferers would unquestionably be good ground for denying them any further remedy.

I dismiss the topic of the declaration in the preamble with a brief recapitulation, to show more explicitly the complete antagonism between Dr. Moore's views and mine on this head. While he detects in this declaration a falsehood and a badge of fraud, to me it offers strong internal evidence of genuineness, because the truth it expresses imparts to the act a *raison d'être* and the color of necessity. He thinks that the "report" was the only legislative proceeding "in favour of" the "Estates" of the sufferers, while to me the report and the vote accepting it seem intended only to repair damage to the person and to chattels, and leave the "Estates" to be restored by the operation of a formal act, such as the one before us.

While in this train of thought, and before proceeding to the consideration of details less relevant, I turn to a paragraph of Dr. Moore's which I wish could not be construed even into the semblance of unkindness. I cannot think my frank and genial friend would for a moment intentionally indulge in unwarrantably severe reflections upon the character or conduct of the dead, to whom, in the performance of the sacred duty of critic or historiographer, he must perforce assign a place in his *tableaux* of the past. I am therefore willing to believe that it is my own perversity that detects a shade of injustice in his expressed opinion of the main purpose of "the wretched remnants" — of the families which were broken and scattered by the witch persecutions — in applying to the General Court. Yet, nevertheless, his words affect me painfully. He surely is conscious of the fealty he owes, as a man and a scholar, to that imperative law which forbids the ascription of unworthy motives without clear and convincing evidence.



Am I wrong when I believe that the touching words of those petitioners were sincere, and that the declaration of the children of Rebecca Nurse, that "the principal thing wherein we desire restitution" is "the removing . . . the reproach" which the name of their dear mother "and the name of her posterity lyes under," only echoed the general sentiment of the petitioners? If I err herein, it is because I do not repudiate the charitable rule, and discredit their own professions. But where would be my warrant for repudiating that rule?

Why must I read between the lines something that shall falsify the professions of Francis Faulkner and nineteen others, who join in a petition to the General Court "that something may be publickly done to take off infamy from the names and memory of those who have suffered, . . . that none of their surviving relations, nor their posterity, may suffer reproach upon that account"? Why should I question the sincerity of the declaration of the Corey family that "that which is grievous to us is that we are not only impoverished but also reproached, and so may be to all generations, and that wrongfully . . . unless something be done for the removal thereof,"—or of the prayer of Isaac Estey and twenty-one others, that an act be passed to "*restore the reputations to the posterity of the sufferers*"?

When, in 1710, Estey said "this world can never make me any compensation," for the loss of his wife; and the poor man, Ephraim Wildes, declared that though his loss was £20 he was willing to take £14, "*considering our names may be repaired*;" and William Hobbs offered to reduce his claim from £40 to £10, for a like consideration; and Mary Bradbury's sons ask that the name of their good mother may be inserted in "*the bill for taking off the attainder*;"<sup>1</sup> and Charles Burroughs, Philip English, John Tarbell, Abraham Foster, Elizabeth Johnson, Thomas Carrier, Samuel Wardwell, and

<sup>1</sup> As for the compensation, what can be more unselfish than the request of the Bradburys to the committee?—"We doubt not but some others might suffer more in their estates; and it seems very just and reasonable that restitution be, in some measure, made as far as the case will bear; and, therefore, we would not discourage so just and good a design by any excessive demands, but rather comply with anything which your Honors shall think meet to allow," etc. This was the general feeling, though there was some contention in the Burroughs family about the right of the widow to the lion's share, she having transferred all Burroughs's effects to another husband.



John and Joseph Parker make the same request; and the Rev. Thomas Barnard and eleven other ministers join in proposing to the General Court to consider whether something may not and ought not to be publicly done "to clear the good name and reputation" of some of the sufferers, — was *money* all they were after? Was Rebekah Fowle *feigning* when she urged that the business of compensation be quickly disposed of, because "every discourse on this melancholy subject doth but give a fresh wound to my bleeding heart"? I thank God that my respect for human nature, and my regard for what I consider the true historical method, alike forbid that I should believe it!

The traditions preserved by the posterity of these good people and by the descendants of their neighbors corroborate the testimony of their faded, perhaps tear-stained, petitions still in the public files. Even in the pages of contemporary history, their pecuniary losses make an inconspicuous figure in the list of wrongs. The sums finally awarded to them seem miserably small and inadequate; but there is evidence directly tending to show that even this pittance they themselves proposed, or cheerfully agreed to, as a full reparation of personal damages, in consideration of the additional favor of a reversal of the attainders.

It seems to me impossible, after carefully pondering the whole story, not to feel that, more than the loss of lands and goods, the sufferers and survivors felt the loss of fellowship. Neighbors and kindred contemned them. Like the fruit of man's first disobedience, the curse laid upon them descended to their innocent posterity; and in some instances the sentence of ecclesiastical excommunication had filled their cup of woe by formally consigning the revered parent or the tenderly loved child, husband, or wife to sure and eternal damnation. These circumstances were likely to impress the survivors with a sense of infamy and utter desolation, to which any material loss were but as the stolen purse to Othello.

It is pleasant to know how fully the prayers of these petitioners for a restoration of their good name have been answered. Their descendants to-day, filling their full share of places of honor and trust,

"Hear no reproachful whispers on the wind,"

from the graves of their ancestors. The instigators of, and principal actors in, their persecution have sunk into comparative oblivion, or are remembered with aversion and contempt. On the other hand, almost the only sweet episodes in our memory of men and manners at that early day are to be found in the accounts which have been transmitted to us of the fortitude and composure with which those victims of irresponsible power endured the insane atrocities inflicted upon them, and the glimpses we there obtain of the mutual affection between the sufferers and those near and dear to them. The tender offices which their friends and kindred performed for them while living, and the efforts to remove the stigma of condemnation after they were dead, are as noble and disinterested deeds as have ever been commemorated in history or in song. Nothing else has withstood the ravages of time that better serves to show the susceptibility of the human heart to tenderest emotions, even amidst prevailing malevolence and superstition; and nowhere else can we perceive a ray of solace or of beauty in the painful details of that picture of early provincial life.

Dr. Moore finds support for his theory of the spuriousness of this copy in its "long concealment," which is strengthened by the fact that it has no known duplicate,—"one solitary printed copy." I confess I fail to see in these circumstances, taken separately or together, a foundation for a reasonable doubt; nor do I believe that he will insist that there is any recognized rule that requires the determination of the authenticity of prints supposed to be "unique," to be postponed until all doubt is removed by the discovery of other copies, or until the individual history of each shall have been traced, step by step, to the first possessor.

I venture to say that in his unrivalled collection of the Laws, and the Journals of the House of Representatives, of Massachusetts, our friend here must have pages—yes, and volumes even—that cannot be duplicated, which I am sure are, in his estimation, not less valuable on that account, either to the bibliophile, the lawyer, or the historian. Whether other copies of this impression may hereafter appear, or not, is of no consequence when we consider that the printers might, with little extra labor, have pulled a score or a hundred sheets while the form was in the press. And who shall say that they did not?

Neither, since the antiquity of the paper is conceded, and it clearly appears to be of the typography of Bartholomew Green, do I think it material to trace its history in all the obscure past. It may be of interest, however, to know that this particular copy was purchased at the sale of the collection of the late J. K. Wiggin, and that it bears the autograph signature of Nathaniel Lambert, who in 1805 — when he appears to have signed it — was the ward, as well as the office-assistant of Ichabod Tucker, Clerk of the Courts and a successor of Stephen Sewall. This takes the paper back nearly half the period of its existence, through channels that apparently lead to no suspicious source. We may well question if it is possible to give as satisfactory an account of any of the numerous genuine early prints which every now and then are emerging from obscurity into the glare of great libraries or the more subdued light of collectors' cabinets.

The argument founded on the absence of the bill and engrossment from the rolls or archives becomes of still inferior force when we consider the numerous casualties, by fire and revolution, which all the papers, of equal age, now remaining in the Secretary's office, have escaped. The engrossments of three hundred and sixty-seven public acts and of seven private acts have disappeared from that office by some means or other, together with probably a still larger number of original bills. Now, if we are to understand Dr. Moore's quotation of a paragraph from a message of the House of Representatives to Governor Hutchinson in 1770 as offered in support of the proposition that the existence of every act is to be finally tested by comparison with the engrossment, I think I shall find no difficulty in getting his proposition excluded, on the ground that practically it is untenable. And if the quotation is not made for this purpose, I cannot see the relevancy or the force of the argument he would base upon it. It is true that all acts of the General Court were required by the charter to be under the Province seal; and that they were engrossed on parchment, and signed by the executive, is an undeniable fact; but to conclude, hence, that, if the parchment is lost or destroyed, the act is a nullity, would be asserting a novel doctrine and indicating a new method of repeal, the legality of which our friend should not allow to rest unsupported by unequivocal and overwhelming authority. Such a proposition, if established,

would overturn the entire system of the common law, which is based upon lost statutes whose purport has been handed down, by tradition, in the courts.

Now, coming to the record evidence, I begin with the remark that it is fortunate that the necessities of the case do not require me to explain all the obscurities of the proceedings of the General Court relating to the passage of this act. There being no Journal of the House of Representatives in existence for that period, and the files being imperfect, we are obliged to rely mainly upon the journals of the Governor and Council, commonly known as the General Court Records, for our knowledge of the doings of either branch. The originals of these journals were consumed, with the Court House, in 1747; and the duplicate copies, subsequently made, do not exactly agree with each other in all respects, and may fail to contain some important passages originally entered. I give this as a possible explanation of the absence of any express mention of the Governor's approval of certain acts in 1711, though, as to the act we are considering, I still adhere to the conjecture I have already expressed. The anachronism which Dr. Moore notices in my statement that the act "had passed the several stages of legislation," will disappear if the time referred to by me is understood to be the time of the Secretary's "making up his records." I admit that my statement is obscure, and that my friend might very naturally have supposed that I was under the false impression that the passage to enactment preceded the adoption of the report. Such, however, is not the case; and I fully concur in his criticism concerning the unsatisfactoriness of the record.

My statement was a deduction from my previous showing from the records, which I believe was full and accurate; so there was, and is, no danger of being misled by it one way or the other; nor, since Dr. Moore has so fully supplemented my work by his critical examination of the record entries, in his rejoinder, need we again go over the ground.

One suggestion here, however, will perhaps help to reconcile any apparent discrepancy between the report and the act, and account for the twofold proceedings.<sup>1</sup> The act began in the

<sup>1</sup> It may at the same time furnish a satisfactory answer to Dr. Moore's question, "Why was it that an act was not drawn embracing all the recommendations of the committee?" etc. *Ante*, p. 87.

Council, where the tradition concerning the exclusive right of the Representatives to originate money-bills may have operated to the rejection of any clause requiring an appropriation. When the bill was returned from the House, it was not amended, or replaced by a new draught, but it was accompanied by an order, proposed in the House, providing for the compensation asked for, as well as for the appointment of a joint committee to ascertain the names of the persons who were to receive it. If, as is probable, the Representatives felt this to be the best course to pursue under the circumstances, the Council certainly could not object to it, since it left their bill intact, except in regard to one feature in which the co-operation of the House was expected as being necessary to perfect the bill.

The declaration of the committee that the claims of the petitioners were "moderated," or abated, cannot be refuted by comparing the report with the claims on file, until we have ascertained that the latter were the first and only demands presented; which the very declaration renders doubtful, to say the least.

Again, the mystery of the omission from the act, of the names of seven of the persons condemned is not cleared up — at least so as to throw the responsibility upon the legislature — by the letter of Nehemiah Jewett to Major Sewall, which Dr. Moore has given us in full; because that letter bears the following indorsement, in Sewall's handwriting, "Mr Jewets note ab<sup>e</sup> y<sup>e</sup> psons condemned *and not returned to ye Gener<sup>l</sup> Court.*" This important memorandum, which is not printed by Woodward, leaves the question still open as to whether or not Jewett had any good reason for his supposition. Seeing that it was thus indecisive, I did not deem it worth while to comment upon it in my reply to Dr. Moore's Notes.

On one point, however, Dr. Moore has clearly convicted me of the very fault that I had animadverted upon in the conduct of the committee. I charged them with carelessness in not reporting the Christian name of Goodwife Corey. This is inexcusable, and I thank my friend for the correction. But though the illustration fails in this instance, the charge is equally well sustained by their omission to report the name of Thomas Rich, — Goodwife Corey's son by a former marriage. On referring to my notes, I find that this was the only omission

I had intended to point out; but in the hurry of composition I was in this particular led into a misinterpretation of my brief minutes, probably by noticing that the Christian name of the mother did not appear either in the act or in the committee's list sent by Jewett to Sewall.<sup>1</sup> This mistake would not have occurred if I had made the slightest comparison of my notes with the report accepted by the legislature.

Having thus pondered the evidence which the act itself affords, and examined into the precedent and contemporaneous circumstances which the records disclose, let us resume the consideration of the extraneous evidence which Dr. Moore adduces to confirm his assertion that no such act was passed. We are pointed to the fact, as significant, that the Rev. Israel Loring, in 1737, and Governor Belcher, in 1740, appear to have had no knowledge of any such act. But this, if it proves anything, proves too much. It shows that these worthies were as ignorant that the sufferers had received compensation — which nobody disputes — as that the attainders had been reversed. If the force of the blow demolishes the one, it recoils with equal force upon the other; and either both the act and report are not affected by it, or they fall together.

It is indeed unaccountable that legislative proceedings of such importance should so soon pass out of memory; but the fact is, nevertheless, undeniable. And an instance even more striking than this is the utter failure of everybody concerned, — the committee, the several assemblies, and the petitioners themselves, — from 1708 to 1711, to take any notice of the act to reverse attainders, passed in 1703, which was only about five years before the proceedings were instituted that resulted in the passage of the present act.<sup>2</sup> Can our ingenious friend devise an explanation of this remarkable oversight that will not apply with equal or increased force to the forgetfulness manifested a generation later? This is one of the mysteries that I confess myself incompetent to solve. I feel reasonably sure, however, that the committee of 1750 *did* discover the facts relative to the compensation, and the reversal of the attainer. Hence it was — and not to justify a report that was never made, as my friend rashly concludes — that I expressed

<sup>1</sup> Jewett, who acted as chairman of the committee, was probably responsible for the omission in the act, as it is very likely that he drew the bill.

<sup>2</sup> See Dr. Moore's comment on this, in his first note on p. 88, *ante*.



the opinion that it was their duty to report against reconsidering the claim, — a duty from which they ought not to have been deterred by any considerations of pity for the “mean, low, and abject circumstances” to which the unfortunate descendants of the condemned had been reduced, and which — to his credit, be it said — moved good Parson Loring to sympathy and to efforts in their behalf.

If, after our friend shall have reviewed the subject in the aspect in which I now leave it, he shall not agree with me that the presumption that the act was regularly passed prevails over all the doubts and difficulties which, except for his shrewd insight and large knowledge, would perhaps never have obscured its title to recognition, I shall be disappointed; but in such case there is no one, I am sure, more likely than he to discover some further evidence so decisive that this shall no longer remain an exception to our uniform agreement on historical questions.

Meanwhile the inscription which my scholarly friend has suggested as proper to be placed on the cabinet wherein the “remains” of the act are deposited, must be for the present declined. As custodian of the relic, I feel that I ought to be better assured that it never had vitality before I entomb it under an epitaph.

If any inscription were necessary, I think the following would be more appropriate: *Stat mole sua; nullus esse potest ambigendi locus.*

This fragile leaf has survived five generations of men, to attest to the candid descendants of honorable ancestors, many of whose good deeds the world has forgotten — while the errors which they shared with their contemporaries have been loudly proclaimed — a singular instance of their justice and generosity, in that, while they were the first of all people to escape the thralldom of a superstition to which in Christian Europe alone it is estimated that more than nine millions of innocent human beings have been sacrificed, they were also the first to make pecuniary reparation to the descendants of those who had been ignorantly condemned for witchcraft; and then BY THIS INSTRUMENT they not only restored the forfeited estates of the victims, but rescued their names and the names of their posterity from perpetual infamy: AN ACT OF LEGISLATION, WITHOUT PRECEDENT OR PARALLEL, and



which, though hitherto scarcely noticed, will grow more lustrous with the lapse of time.

*"So shines a good deed in a naughty world."*

Mr. R. C. WINTHROP, Jr., then spoke as follows:—

Only those members of the Society who have taken an active part in editing manuscripts of the early colonial period can appreciate the amount of labor involved in it, owing to the difficulty of deciphering handwriting, identifying names, and supplying missing dates. Within the last twenty-one years the Society has printed five volumes of selections from what are known as the Winthrop Papers, in addition to those separately published by the President of the Society, and some which may be found scattered through our volumes of Proceedings. There remains, however, in this collection a mass of unpublished correspondence, only partially examined, and which, together with a good deal of rubbish, contains many items of interest to students of early New England history. It rarely happens that competent persons have both the leisure and the inclination to study these papers, and a very long period is likely to elapse before the material is exhausted. It seems to me, therefore, desirable to call attention to any little discoveries which may be made from time to time, without waiting for a whole volume of selections to be got ready for the printer. Not long ago I came across, quite by accident, a series of letters written by John Haynes the younger to Fitz-John Winthrop, between the years 1655 and 1663, when they were both very young men. John Haynes the elder, as we all know, was one of the leading Puritans who came to this country; he was Governor of Massachusetts in 1635, and Governor of Connecticut in 1639 and for a number of years subsequently. He left behind him in England an estate in the county of Essex, and two sons by his first marriage, both of whom, it is said, drew their swords in the great Civil War,—the elder for the King, the younger for the Parliament. His second wife, whom he married in New England, was Mabel Harlakenden, of a well-known Essex family; and his eldest son by her, John Haynes the younger, took his bachelor's degree at Harvard in 1656, and his master's degree at Cambridge, in England, in 1660. He and Fitz-John Winthrop called themselves

cousins; but their relationship would appear to have been rather one of propinquity than of blood, resulting from a number of connections they possessed in common through the families of Symonds and Mildmay. They became close friends in boyhood, and the letters now in existence are evidently but the fragments of a voluminous correspondence. I have not the slightest intention of inflicting them all upon the Society; but I shall read a few extracts here and there, because I think a certain interest attaches to the familiar intercourse of two young men born and bred in New England, in what I might call the intermediate colonial period, that is to say, a period long subsequent to the original emigration, and yet long anterior to the time of Sewall's Diary. Assuming the writer to have been of the same age as his correspondent, the first of these letters was written when he was sixteen, dated Hartford, Feb. 6, 1655, and addressed "For his much respected Friend, Mr. Fitz-John Winthrop at his Father's house in Pequott." He begins:—

"DEARE & LOVING COUSIN . . . I might worthily be branded with the black mark of ingratitude should I be soe far unmindfull of my duty as not to return you an answer, but I would intreat your favour to accept of my mean lines, shamefully naked, not having one ragg of rhetorick to cover them, for the reality of my love needs not to be painted with any counterfeit gloss. . . . A day or two after we gott home from Pequott it snowed, which hindered the passing of travellers, & this present being the first opportunity, I shall give you a faithfull account of my service."

He then alludes to certain matters he had been requested to attend to, and adds:—

"I do intend in the Spring (if it please God) to goe into the Bay to the Colledg & am exceeding glad to hear that there is hopes of your company. . . . Pray inform M<sup>r</sup> Lake that I spoke with M<sup>r</sup> Holyoke about the book & he promised to send it."

The very next day (Feb. 7, 1655), he writes again, saying he had forgotten to ask Fitz-John to borrow of his father for him "Sir Kellum Digby's book," which he promises to return safely. Sir Kenelm Digby had then published several works, and this particular one cannot now be identified.

On the 1st of October, 1655, he writes:—

"I am ashamed the world should take notice how often I trouble you with my frivolous lines, yet once more I shall make bold to intrench upon your patience, only to vent my joy that there is hope you & I may live together this winter. I hear you are to be at New-Haven & I think so shall I, because there is a Colledg to be settled there, Mr Leveredg is chosen President."

This was undoubtedly the Rev. William Leveridge, who had been appointed by the Commissioners of the United Colonies to instruct the Cape Cod Indians; but whose election to the presidency of a proposed college at New Haven, must have been only a rumor. It is known that the settlers of New Haven were desirous of a college; but, in point of fact, none existed there till more than sixty years later, for Yale College, though founded in 1700, was not removed to New Haven till 1717. It is noticeable that although the writer was graduated at Harvard in 1656, yet, as late as October, 1655, he was not pursuing his studies there; his curriculum must have been a short one, and there are no letters to throw any light on it. It is probable the young men were for some months at Cambridge together at an earlier period; for Fitz-John Winthrop is known to have been a student at Harvard, though he did not stay long enough to take a degree. A letter dated "Hartford, Sabothday-night," and probably written in the early spring of 1657, first exhibits John Haynes a victim to the tender passion; and his allusions to the young lady (whose name is not mentioned) breathe a commendable spirit of disinterested resignation.

"I sincerely thank you, for the information I desired; it is my earnest desire that all possible felicity may waite upon her & if it shall please God to inrich any one with such a jewell of inestimable value, I truly wish that that relation may prove a liveing Springe of life-lasting joy & sweet contentment to her. I have a true, honourable esteem of her, as her merits do justly challenge, but my own small deserts, with a late accidentall providence, convince mee I should both wronge her & myself to be any ways an impediment to any. I wish her one that may equall her in worth, who I dare say (if any such be found) will be ten times better than myself."

On the 1st of May of the same year, he writes:—

"Did you know how exceedingly niggardly & penurious time at this Instant is, you would thinke there were no need of any other Apology for my scrabbling an overhasty letter. The infinite expressions of my obligations due for your extraordinary love, I am constrained, sorely against my will, to contract into one poore but hearty thanke you. . . . I am sorry I can not come to N: Haven, being for the present detained here by inviolable (not cords) but cables of occasions. . . . My brother Joseph went this week with M<sup>r</sup> Cotton into the Bay. . . . Goodman Mitchell tells me Latimer has gott your saddle & that into his griping clutches, refusing to accept of the horse without the saddle. My itch is almost gone out of sight, but whether it doth play bo-peep & intend shortly to torment me with an unwelcome visit, further experience must determine; if you be cured, I wish you would impart the meanes, it is a most grievous & perplexing evill & my anxiety to be rid of it, together with the unpleasant remedies that promise a cure, devours the greater part of my comfort. Dres my most hearty respects in one of your holy-day complements & most humbly present them, attended with innumerable thanks for theyr boundles courtesy, to your worthily respected Father & Mother. We should all with hearty acclamations welcome them, would they vouchsafe their willingnes to afford us a visit."

Before the end of this year, 1657, both these young men sailed for England, — John Haynes to pursue his studies at the University of Cambridge, and Fitz-John Winthrop to accept the offer of a commission which had been made him by two of his uncles, who were colonels in the Parliamentary army. He became a lieutenant in Reade's regiment of foot, then stationed in Scotland, under General Monk, and a considerable period evidently elapsed before he was able to communicate with his friend. On the 17th of January, 1659, John Haynes writes from "Pembroke Hall, Cambridge," alluding to their having been both so long abroad without meeting or hearing from each other, and saying he sends these lines at hazard, doubtless by private hand.

Meantime Oliver Cromwell had died, his son Richard was soon to resign his short-lived Protectorate, and at the close of this year, 1659, General Monk, in secret understanding with the exiled king, began his march from Scotland to London. Reade's regiment, in which Fitz-John Winthrop was now a captain, was one of those which accompanied Monk, and this long-interrupted correspondence was resumed in the spring of 1660. On the 5th of June John Haynes, writing from Pem-

broke Hall, addresses his friend "at the Bell-cony Tavern, near the new Exchange, in the Strand :"—

"Your's of May 31. I gladly received & immediately returned an answer, but not being certaine of the delivery of it, I am bold to second it with these scrawles, being farr more willing to incurr the censure of being importune & troublesome by my frequent writeing, than by my silence to create the least suspicion that I can be forgetfull of soe good & deserving a friend. Sir, I bewaile my unhappines that soe many sweet lines of your's were kept (by what miscarrying chance I know not) from him that would have exceedingly delighted himself in the perusall of them, for not a tittle of the foure letters you mentioned in your last ever came to my sight. I fear you sent by the post whereas the safer conveyance is by carriers, who come from the Bull in Bishopgate-street on mundays, weddensdays, thirsdays & fridays. . . . I beseech you, Sir, revive your languishing purpose of affording me a happy sight of you & take the trouble to visitt Cambridge. I would not long content myself in not waiteing on you in London, but that an indispensable hinderance forbids, which I presume I shall satisfy you with, when we come mutually to impart our various adventures since our parting. I have been watching in the camp of a beggerly Minerva, whilst you have followed the Trumpett of a glorious & gallant Mars."

He then reiterates his eagerness to see him, adding :—

"You may ride through to Cambridge very well in a day, if you be but early in your setting out, & if you send to the Bull I presume you may heare of company almost every day ; if not, your road is very easy to be found : from London to Hodgson, from Hodgson to Ware, from Ware to Pucceridge, from Pucceridge to Barkway, from Barkway to Barly, from Barly to Fullmire, from Fullmire to Hasson-mills, from Hasson-mills to Trumpington, thence to Cambridge. If you come, pleas to sett up your horse either at the white Lion or the black Bull, which are both good Innes & neer our Colledg. . . . If you can come no further than Ware, I will (whatever come off) meet you there when you shall appoint. Postscript [in very large letters], the sooner the better."

On the 24th of July he writes :—

"Truly among all my New Inglaud friends I finde none dyed soe in graine as yourself, but *their* colours if they doe not change yet they fade, but *you* that were very civill there now exceed very civility here. My resentment of your favours is so deep I can not pump

it into expressions. Sir, I most heartily thank you for your condescending troublesome (as to yourself) visit at Cambridge & for that series of civility till I were soe unhappy to part with you. Pleas to informe mee of your progress with your Lady, present my humble service (though unknowne) to her, & tell her you have a servant pickled up for her that with great faithfullnes & alacrity will approve himself ambitious to observe both your commandes. I do not say I am foud of the happynes to kiss her hands, but her feet, having interest in her legs till my Garters be payd, which I adjure you to be carefull of as you would be glad to have a Lady leggs & all. [This implies that the writer had been commissioned to procure a pair of garters as a present to a young lady, — an attention which, in our day, might seem equivocal; but our forefathers were not burdened with false modesty, and preferred useful to ornamental gifts.] I will not tell you the story of the sweet parcell of Ladys I saw contending as I came downe & all because Lilly told them *she* should be infinitely happy that could but obtaine that patterne of perfection Captain Winthrop."

There are no more letters till the following year, 1661, when the position of both young men underwent a change. The Restoration of Charles II. resulted in the gradual disbanding of the greater portion of Monk's forces; and Fitz-John's regiment was mustered out, to his great disappointment. One of his uncles was dead, and the other too much identified with the Commonwealth to be able any longer to further his nephew's military advancement. Uncertain whether to return to New England or to await some opening in the mother country, Fitz-John made frequent visits to his relations in Essex, where he often met John Haynes, who, having taken his master's degree, had ceased to reside at Cambridge and made his home chiefly at Hadham in that county. On the 26th of February, 1661, the latter, who had apparently just learned that his friend was soon to lose his commission and likely to return to Connecticut, writes: —

"Your lines wrought such an effect upon mee that I first concluded it a death to think of parting with soe much goodnes, & then, notwithstanding the importunity of a loving kinsman & the plea of a faire opportunity for stay, I waded through all objections to a resolve of hazarding any difficulties for the injoyment of my best Achates. If you think fitt not to part with mee, I can not desert you. And though I have twice undone myselfe by my desire to gratify friends, yet I persuade myselfe I see something soe unusuall & genuine in your friend-



ship, that I dare not dream of a repentance for following through the World soe noble & generous a soule. Ship yourselfe when you pleas, I am ready to attend you."

Learning that no immediate departure was in contemplation, he writes, a fortnight later (March 11), about a very different matter:—

"Deare Cousin, if it be possible, finde out your honoured Cousin and oblige her to accept of him that will rejoyce to be wholly at her service."

Whichever of Fitz-John's cousins this young lady may have been, it is clear she did not smile upon this suit; and in the course of the summer John Haynes consoled himself with an attachment he soon repented. On the 18th of November, 1661, he writes:—

"You are pleased to charge mee with a scandalous breach of friendship. I can not but bewaile my very hard fate that one I soe intirely respect & love should harbour soe harsh an opinion of mee as to thinke I am afraid to intrust my little concerns to soe faithfull a breast as your's. When I told you I was come up to disintangle myselfe from that ingagement to a Gentlewoman, wherein I had insnared myselfe, I declared all I then knew; neither could I impart more concerning it till the last night I was with you, for it was but that afternoon I brought it to a conclusion by the mediation of some friends. She fully resigned all right she had in mee & I what I had in her, before witnes, soe that I am completely disingaged, though it hath cost mee some mony to gett off cleare. I am very glad, howsoever, that I am fully at liberty, because my friends were all averse to it because she wanted mony, though she was a very pretty, good-conditioned, well-bred gentlewoman. I should not have been shy of telling this, had you made the least inquiry, but bluntly to fall of telling it I thought would have argued mee a little too selfe-conceited. Your estrangedness in your lines cutt mee to the heart. Your former letters vouchsafed mee the familiar compellation of Cousin; in this, you were pleased to cutt me short of that favour, as unworthy the owneing. . . . I am come to Towne on purpose to see you & will waite on you to-morrow at nine of the clock."

However sordid may have been the motives of this well-bred gentlewoman, there is room for suspicion that the writer's desire to be free from her was prompted by the kindling of another flame. He had hardly penned the foregoing letter



when he fell grievously ill of the small-pox, and having been nursed through this malady by Fitz-John, almost the first act of his convalescence was to address a letter to the latter's father, Governor Winthrop, of Connecticut, who had just arrived in London on business of the colony. Either for purposes of secrecy, or to display his scholarship, he wrote in Latin, recalling the friendship between his deceased father and the Governor, and begging a great favor. "There is," he says, "a lady by the name of Parnell (*quædam est domina Parnill*), whose good opinion concerns me not a little (*quam bene de me sentire non parum meâ refert*)." He entreats the Governor to write a letter for him to show her, speaking of him in as complimentary language as he conscientiously can; and he suggests that allusions be made to the capacity he early exhibited in New England, to his morals, and to his talent. "*Nemini mortalium hoc precor palam facias. Cras vel etiam die Saturni currus revertetur. Hoc si cito his feceris.*" (I beg you not to let a human being know of this. The coach returns to-morrow or Saturday, and you will have done it twice if you do it immediately.) Think well of this letter written with a trembling hand (*importuna corporis febrî*). I hardly dare pray you to excuse my confidence, or rather my impudence, in dealing so familiarly with one so exalted,—ascribe my audacity to the occasion, not to my nature." And he concludes: "*Suavissime vivas, vir honoratissime, nec preces tuæ desint sui observantissimo Johanni Haynes.*"

However kindly disposed may have been the Governor of Connecticut towards the friend of his son, and the son of his friend, he is not likely to have consented to become a go-between in this delicate transaction; and the "lady by the name of Parnell," not improbably a collateral ancestress of a notorious personage of our own time, disappears from these pages. A few weeks later, however, John Haynes writes a second letter to the Governor, this time in English, thanking him for his inquiries about his health, mentioning that his fever has left him with sore eyes, and desiring his prayers that "this great deliverance may prove a sanctified mercy." He adds that if he does not succeed in procuring settled occupation in England, "where my heart is much," he purposes for New-England, there "to spend my time, if you will accept mee for a border, in the pleasant study of physick, sub

*tuis auspiciis.* I hope you have that respect for mankind as not to suffer such a treasure of knowledge to dye with your-selfe." This is an allusion to the well-known taste of the Governor of Connecticut for medical studies. In the absence of regular physicians in the colony, he often practised gratuitously among his friends and neighbors.

On the 20th of February, 1662, John Haynes writes a glowing letter of thanks for his friend's devotion during his illness; but it is evident that his love affairs were again on an unsatisfactory footing.

"You will excuse mee from the torment of distending my innocent braines upon the rack to make them confes in a complement how much I owe you. Let it suffice that I am sensible it is more than my poore short life will be sufficient for the payment of, and truly at my death I beleeeve my obligations to my best friend will be inscribed in fairer characters in my heart than the loss of Calais was in Queen Mary's. . . . Perhaps you may think the late violent storme that raged on Tuesday parcell'd mee out into atomes, but I am still what I was & all your's. I request you to deliver the enclosed; the end of it is only to get a letter conveyed to Mistress Mary Potter, the designe of which is only a faire receding, though parting will be a very death to mee. . . . Pleas to open my little trunck with the enclosed key & send mee 3 Bands wrapt in a paper, 3 little cuffs, my Boottops & rideing stock-ins, — putt theas & my spurs into my Boots. Desire my Aunt to buy mee a dozen & a ½ of black wastcoat buttons."

Three weeks later (March 11, 1662) he writes, not, as usual, from Hadham, but from his uncle Roger Harlaken-den's, at Earls Colne, in the same county:—

"If you can obtain tidings of that Gentlewoman's aboad, I will return to London by the first convenience, but if nothing can be heard of the Lady, I purpose to abide here till the ship be ready to goe."

None of the answers to these letters are in existence; but a certain sidelight is thrown upon the young men's plans at this period in two from Fitz-John to his father, dated 19th and 28d of December, 1661. The Governor had evidently pointed out that his son had spent a good deal of money, and the latter replies with dignity:—

"Sir, I confess the som I have received was great, but noe more than what former pressing & unavoydable expenses did require. I alwaies

kept a just decorum betwene extremes, &, as I did never prodigally spend, soe I did never basely spaire, which is most hatefull to my naturall inclination."

Alluding to the loss of his military pay, he says he has an opportunity of bettering himself by an advantageous marriage, but that, in his opinion, the remedy would be worse than the disease:—

"I would not as yet accept the proffer of a married life, in which there are soe many restless & unavoydable cares & inconveniences. I am yet young enough to spend some few years in travell, in which the cheife end of my adventure should be the attainment of experience, & my owne inclination leads me to that designe, yet what you shall please to direct I shall redily comply with. My cousin [evidently John Haynes] hath som thought he may goe into France this winter."

The Governor consented that his son should remain abroad another year, and there is reason for supposing him to have been on the Continent between March and October, 1662, when there is a gap in this correspondence. That he had a strong inducement to visit the Low Countries, is manifest from a letter written from East Hatley, in Cambridgeshire, in the latter part of October, 1661, by Mrs. Emmanuel Downing to her nephew, Governor Winthrop, of Connecticut. In it she particularly inquires after his son "Fitts," and adds:—

"I was troubled he made himself such a stranger to his relations in London. My son George had a great desire to have gained him & served him, and, though having much business, went twice that I know of to his lodgings for that purpose; indeed, my Lady told me my son would have taken him for his companion into Holland & his dyet should have cost him nothing."

Mrs. Downing's son George was the celebrated Sir George Downing, who, having been Cromwell's Minister to Holland, had so ingratiated himself with Charles II. as to have been recently reappointed to that mission.

Whether John Haynes went also to the Continent is very doubtful, as his next letter would indicate that the friends had not met for some time. It is dated "Copford, in Essex, Oct. 7, 1662," and addressed "For Captain Fitz-John Winthrop, at his Lodgings at M<sup>r</sup> Bloxon's in Winchester-house, near M<sup>r</sup> Hutchinson's glass-house, in Southwark, London:"—

"It was not a more bitter sarcasme to pronounce him to have noe nose that was notorious for his prominent beak, than your owneing of obligations to mee is a sad remembrancer of my incapacity to reflect your favors. You have heaped soe much kindness upon mee that I have never been able in any proportion to acknowledge, much less to retaliate it, & though I know you to be noe stranger to that divine quality of forgetting your owne benefits to others, yet I can not think you soe wholly devested of man soe as the remembrance of those signall indearments wherewith your goodnes hath invironed mee should never present itself to your thoughts. Sure you must sometimes recollect how when you came out of Scotland & were aloft in your imployment you vouchsafed to descend into that vally where I sneakt away my days & to give mee the glory of your imbraces at Cambridg; & then leadeing mee to London permitted a shade by your side & a dark spot in your orb that did but allay your lustre. But, above all, the stupendous affection that you gave mee half a life by keeping mee company in my dismall calamity the small pox, when you chose rather to hugg a nasty disease in your bosome than to abandon mee to that melancholy solitarynes which would probably have proved fatall. . . . Sir, your power over mee is absolute, — you may summon mee upon what stage you pleas & should you assigne mee to act a Jack Pudding's part, I would run readily through it without the least repineing. I examine not what is injoynd but who injoynes it; but pardon mee, sweet Cousin, if I think that while you conceive you have cutt out some honour for mee, you are noe less mistaken than those that through a magnifying glass take a louse for a hogg. . . . The coloured glass of your affection puts a tincture upon my worthless scrawles that noe unbiassed judgment can ever discerne. To the delicate gust of a curious Lady their rudenes will but proclaim mee coarse & unpolished & you overseen & mistaken in the choice of a friend. But I have left the inclosed soe that, after your perusall, you may either deliver it to the flames or to the Lady; if you designe it to that honour, bestow a wafer & a superscription on it & let it be accompanied with the tender of my humble respects. The Country would not afford mee any guilt paper, which inforced mee to the rudeness of addressing in a coarse sheet."

Until I read that sentence, I was not aware that gilt-edged note-paper was in common use two and a quarter centuries ago; and as I have handled hundreds of letters of that period without noticing any of it, I imagine it may have been confined to correspondence of a tender or ceremonious nature.

A fortnight later he writes: —

"I have heard that Lords sometimes take the acknowledgment of a pepper-corne from some that hold of their Mannors; such a kinde of rent you require of mee, viz: two & fifty letters per annum, which summe amounts to about the value of a pepper-corne, & the terme of my payment bearing date from this opportunity, I must conforme to that good old weather-beaten proverb & cutt my coat according to my cloath. Since my sluggish invention is miserably scant & narrow, I must snip it out into very little slips, or it will never be able to muster up the bede-roll of soe many scrolles as you pleas to exact of mee. But to give you a taste of what you must expect, take halfe a dozen of these shreads which must be digested into soe many letters, viz: Sir, I respect you. Sir, you are respected by mee. Sir, you are respected of mee. Sir, you are the object of my respects. Sir, my respects are terminated upon you as their object. Sir, my respects are fixed soe direct upon you that in comparison they look asquint upon all the World besides. Of these & such like thrums I must make up all my epistles & when the intire catalogue of them is come in & patcht together, they may hap to compose something that will resemble a tailor's motly-cushion. . . . Anatomists tell mee that my heart, though it present to the outward view but one lump & mass of flesh, yet that curious nature within hath divided it into many neat & distinct rooms; if it be so, I am sure that their cheifest adornment & richest furniture is that in every one of them is hung up your picture, drawne to the life in lasting colours by the pensill of an affectionate respect, & there is no dust can sully that Idea, which will continue fresh to my sight till death draw the curtaine before my eyes & put outt the lights. I think, Sir, in your's you owned the Lady you commanded mee to write to, to be the only Mistress you adored; pleas to informe mee further concerning it. . . . You may doe me a signall favour if you can dexterously by some means inform Major Thompson, or Mr. Lee, that I frequent the common-prayer & apprehend myself in conscience bound to it, for I am ingaged to his Sister, & either they will fly off upon this or comply with my minde. Pray be carefull it be not discovered that you doe anything out of designe."

This backsliding on the part of one born and bred amid the strictest Puritan surroundings would appear not to have availed him, as he writes, a few days later, "If you have not yet complied with the request in my last, pleas to forbear till I confer with you." He again apologizes for having nothing to write about, and says:—

"The petite stock of my scanty invention I am obliged to manage to the most thrifty advantage; a little gold may be driven to a great ex-

tent, but lead is not capable of being any way proportionably dilated to that fine & subtile minerall; being conscious, therefore, that my leaden fancy will not admitt of any spacious enlargement without frequent flaws & cracks of non-sense, I can not afford more than a scrap at a season."

Here follows a gap of five months; and his next letter, dated "Hadham, April 6, 1663," contains some uncomplimentary expressions about one Captain Scott, whom he accuses of trying to sow dissension between them, and concludes with an earnest entreaty for his friend's "picture." The request is somewhat puzzling, as this was two hundred years before photography, and it would seem improbable that a young officer, with nothing but his pay and a modest allowance from his father, should have had himself painted on canvas or in miniature. The only existing likeness of him represents a man in middle life, and I incline to think the one here referred to must have been a trifling sketch by some amateur. Be this as it may, a few weeks later he and his father embarked for New England; and it may seem surprising that, after all his protestations, John Haynes did not accompany them; but their departure, repeatedly postponed, was somewhat sudden at the last, and that a strong pressure was put on him to stay behind is evident from the fragment of a letter from Charles Haynes, of Copford Hall, who says, "I hope I have persuaded Cousin John not to go back." There are but two more letters of his, both written to New England. In the first of these, from London, June 19, 1663, he expresses a fear lest his parting letter should have miscarried, as it probably did; and in the second, also from London, August 26, of the same year, he rejoices at the news of his friend's safe arrival home, reproaches him with not having yet written, and consults him about his estate in Connecticut. In a postscript he adds, "Doctor Cunstable is goeing to pott, being in present danger of matrimony."

His younger brother, Joseph, also a graduate of Harvard, though not of English Cambridge, became a well-known Connecticut minister, some of whose letters are in this collection, but they contain no reference to his brother John. The latter's subsequent history is almost a blank. Mr. Savage speaks of him as having married and as having enjoyed a living of the Church of England in Suffolk or Essex; while the more recent researches of Mr. Sibley establish that he



was first curate of Hemmington, in Suffolk, and afterwards rector of Swansey, near Copford, in Essex. According to Mr. Savage, he died "before 1698;" according to Mr. Sibley, "prior to April 25, 1671." If this latter date be correct, he could not have lived more than three and thirty years; in any case, he must have been dead in 1693, when Fitz-John, then agent of the Connecticut colony, returned to England a grave, elderly man, whose letters make no allusion to the crony of his salad days. The family name of his wife I have not been able to ascertain, but I find among these papers a single letter from her, dated "London, Oct. 27, 1698," addressed to Fitz-John Winthrop, then Governor of Connecticut, and signed "Anne Haynes." It relates to some landed property of her deceased husband, and her handwriting is unusually elegant for that period. Its general character would indicate a woman of decision, one who would have known how to monopolize, and, if necessary, to discipline, the exuberant and somewhat indiscriminate emotions which were so apt to agitate the affectionate but too susceptible heart of the Rev. John Haynes.

Mr. SLAFTER presented from Mr. Z. E. Cary, of East Brookfield, a volume of "Cary Memorials;" and from Mr. Henry Edwards, of Boston, a heliotype copy of the proclamation of Louis Philippe, Duke of Orleans, which was issued in Paris, and thrown from the windows of the Palais Royal on July 29, 1830.

Mr. APPLETON communicated a Memoir, which he had been appointed to prepare, of the late Mr. H. G. Somerby.



MEMOIR  
OF  
HORATIO GATES SOMERBY.

BY WILLIAM S. APPLETON.

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WE may, I think, justly consider HORATIO GATES SOMERBY to have been the originator of systematic research, by which to connect families of New England with their ancestors in Great Britain. As such, the Massachusetts Historical Society elected him a Corresponding Member in 1859, after his death accepted the charge of his manuscripts as worthy of safe keeping and study, and undertook to print a memoir of his life. His collections naturally contain all that he could learn of his own paternal ancestry, and the results may be briefly stated here. Anthony Somerby, first of the name in New England, a man of education and a graduate of Clare Hall, Cambridge, put on record that he was "the son of Richard Somerby, the son of Henry Somerby of Little Bytham, in Lincolnshire, in the Realm of England." His descendant Horatio, after years of study and the collection of much matter relating to the name, never was able to carry farther back his line of ancestry with positive proof.

Anthony Somerby settled at Newbury, Massachusetts, and from him the subject of this memoir was of the sixth generation in descent. He was son of Thomas and Sarah (Dole) Somerby, and born at Newburyport Dec. 24, 1805; his baptismal name being of course a souvenir of the Revolution. He was educated at the schools of his native town, which he left at about the age of sixteen. His early tastes were decidedly artistic, and he studied and practised painting for some years at Boston and Troy, New York, making the former city his home about 1832. He established himself here as a fancy painter and japanner, appearing as such in the "Boston Directory," 1834-40. He seems then to have passed a few years elsewhere, but is found again here 1844-46.









In this last year, 1846, he first visited England, sailing from New York in the "Mediator," in June. His first interest and object was of course to visit Little Bytham, the home of his ancestors, and the village of Somerby in the same county, Lincoln, whence the name is derived. Of this visit he has left a careful record in a little volume, with many sketches of both places. I shall quote a few of his words, as they express the feelings of such Americans as are fortunately able to stand in the churches where their ancestors worshipped, to look on the hills and trees they saw, and to walk in the fields and lanes where they played and strolled.

He drove from Stamford by way of Holywell Hall, and "the spire of a church appeared in a valley. I at first thought that the church stood alone, but directly the whole village burst upon my sight, and a more picturesque scene it is difficult to conceive of. Verily my ancestor had a little paradise to dwell in." He immediately went to the church, and "never did I see before such a gem of antiquity, so full of Gothic ornaments and so beautifully executed. . . . The interior is one of the most curious antiquated places I ever saw. I could not help feeling that now I stood in the very church where my ancestor worshipped more than two hundred years ago." He encountered the usual feeling of astonishment when he announced himself as an American. Even the rector "asked if my father or mother were not English, and when I told him that I was the first of the family who had ever left America for more than two hundred years, he looked at me with more wonder than ever." It may be mentioned here that Mr. Somerby at a later date was certainly in every way a most English-seeming American, partly doubtless in consequence of his long residence in England, but partly, I feel sure, by the work of nature.

His first stay in England was short, but probably decided his future life, more of which was passed in that country than in America. He often crossed the ocean, and left a record of most of his voyages. He made London his home, and genealogical researches his occupation, finding therein his pleasure and his support. He made extensive collections concerning the Somerby family, and more than once began the preparation of a genealogy, but on such an elaborate plan that little was ever accomplished; his model was the unfortunate His-

tory of the Rev. Thomas Prince. He was employed by many persons in America to gather all possible facts relating to their English origin; and many families are indebted to him for their knowledge of their proved or probable connection across the ocean, while for others he greatly added to such facts as were known before.

In Bond's "Genealogies of Watertown" many pages contain the result of his searches, while the separate genealogies of the families of Blake, Bright, Chase, Cotton, Lawrence, Peck, Wolcott, and others owe to his labors much of the matter relating to the English ancestry of the founder in this country. He also communicated to the "New England Historical and Genealogical Register" many lists of Passengers to Virginia, and a very valuable list of passengers to New England from Weymouth, 1635, printed in vol. xxv. In these studies his artistic tastes and education helped him much, as he was able to illustrate the manuscripts sent to his employers with beautifully drawn coats-of-arms, and with sketches of churches, old houses, etc. The volumes and papers now belonging to this Society contain a vast amount of genealogical material, which he unfortunately had never found time to arrange carefully, and much of which is only the original pencil record. His finished drawing of the church of Bicester, in Oxfordshire, whence the Sumners came, was left to this Society by General William H. Sumner.

The latter years of Mr. Somerby's life found him a new interest and occupation, to which he warmly devoted himself and in which he gained high credit. He had long been intimate with Mr. George Peabody, the London banker; the acquaintance, I suppose, originating in his employment to trace the Peabody genealogy. Naturally, therefore, when the trustees of Mr. Peabody's donation for the benefit of the poor of London found it necessary to employ a permanent secretary, who might relieve them of much responsibility and undertake the active management of affairs, they turned to Mr. Somerby. He accepted the position, and all the reports of the trustees issued during Mr. Somerby's life appear with his name attached. Much was left to him, and to him was due much of the success which from the first attended the working of the great beneficiary fund.

I have said before that Mr. Somerby was a most English-



seeming American. If I may trust my present recollection of boyhood, it was a surprise to me to learn that he was not an Englishman. He certainly had to an unusual degree the appearance, manner, and speech of one, while preserving at heart all the feelings and sympathies of an American. He died in London, Nov. 14, 1872; his body was brought home, and now rests in the ground of Newburyport, his birthplace.

Mr. Somerby's manuscript volumes contain abstracts of many English wills, in which relatives in New England or Virginia are mentioned. Some of them have been printed as coming from him, and some have been also found by other persons and printed in their names. To place here a brief statement of the remainder seems to be a proper memorial of Mr. Somerby from the Society which has charge of his collections: —

John Downing, of St. Clements Danes, co. Middlesex, in his will written 15 May, 1623, mentioned his daughters Catherine and Abigail, "moreover my will and meaning is that if my said daughter Abigale shall determine to goe to Virginia, That upon her goinge awaye my Executors shall to and for her use (pay) unto the Virginia Company the some of six pounds towards her Charges," son John Smith and several grandchildren of that name, son Drake with children, sister Joice Wilson, grandchild Abraham Downing, sons Richard and Francis Downing. Proved at London, 7 July, 1623.

John Atkins, of Virginia, in his will written 3 September, 1623, desired to be buried at James City, requested Luke Boyse of the neck of land to administer upon his estate, mentioned Peter Staferton, Christopher Davison, and his brother William Atkins, dwelling near the Bear at Basinghall, London. Proved at London, 2 October, 1624.

Matthew Cradock, of London, in his will mentioned his wife Rebecca, gave one half of his estate in New England in America to his wife, and after her death to his brother Samuel Cradocke, and one half to his daughter Damaris, mentioned also his brother's son Samuel, a student at Emanuel College, Cambridge, his brother's son Matthew, his sister Dorothy Sawyer, and his cousin Hannah Jorden. Proved at London, 4 June, 1641.

Judith Gould, of Watford, co. Herts, widow, in her will written 6 May, 1650, mentioned her son Abel, daughter Lydia, daughter Elizabeth with children, son-in-law George Young, son Nathan in New England with children, children of daughter Sarah, son Zacheus dead, daughter Mary, "£30 to be sent to New England for my son Nathan

and my daughter Sarah their own children to be equally divided betwixt them both." Proved at London, 3 September, 1650.

Samuel Allen, of Norwich, in his will written 16 April, 1651, mentioned the child of his sister Sapp living in New England. Proved at London, 4 July, 1651.

Colonel Edward Hooker, of London, in his will written 8 May, 1650, mentioned his late wife Ellen, the parish and church of Chilcomb [perhaps his birthplace], his brother Peter with children Ralph, Henry, and Sibil, Ann eldest daughter of his late brother Richard, her sister Mary "that is now in New England," his sister Boyse, his sister Eger, his cousin Edward Hooker, of Chilcombe, his cousin John, his son Cornelius, and his wife Elizabeth. Proved at London, 16 July, 1651.

George Fitzpen *als.* Phippen, in his will written 20 July, 1650, mentioned Joan Phippen widow, Eleanor Phippen now wife of Francis George, his brother-in-law Edward Grosse of Truro, his brother's son Roger Phippen, "Item for my brother David in New England I doe give and bequeath unto his eldest sonne the lesser Trewoone unto his second sonne that Trevossa whereon the said Nicholas Clemowe liveth and unto his third sonne the other Trevossa called Petherickes," also mentioned daughters of his brother David, his sister Cicely Reignolds, his kinsman Thomas Phippen of Clemence, his wife Mary, "Item my prayer is that God would provide some able and faithful minister to succeed me in Lamoran." Proved at London, 1 March, 1651.

John Hooker, of Marefield, co. Leicester, in his will written 1 January, 1654, mentioned his cousin William Jennings, his cousin Samuel Hooker student in New England, various other cousins of different names, his cousin John Hooker student at Oxford, and his sister Frances Tarleton of London. Proved at London, 26 November, 1655.

Anne Noyes, of Cholderton, co. Wilts, widow, in her will written 18 March, 1655, mentioned her two sons James and Nicholas Noyes now in New England, and their children, son-in-law Thomas Kent, and Robert Read of East Cholderton. Proved at London, 21 April, 1658.

William Pynchon, of Wrasbury, co. Bucks, in his will written 4 October, 1662, mentioned his daughter Ann, wife of Master Henry Smith, and their children Martha, Elizabeth, Mary, Rebecca, and Elisha, his deceased daughter Margaret Davis of Boston in New England, and her children Thomas, Benjamin, and William, his son Master John Pynchon of Springfield in New England, children of his "son Master Elizur Holyoke in New England," Joseph, John, and Mehitable

Pynchon, and his sister Susan Platt. Proved at London, 8 December, 1662.

Samuel Crane, of Great Coggeshall, co. Essex, in his will written in November, 1669, mentioned his sister Margaret Rogers now of Ipswich in New England, his kinsman William Dyer, his sister Mary wife of Henry Whiting of Ipswich, Suffolk, his sister-in-law wife of Daynes, the late wife of brother Robert Crane, his sister Elizabeth late wife of William Chaplin late of Bury St. Edmunds, deceased, his brother William Clopton, his cousin Lawrence Stisted of Ipswich and niece Mary his wife, his uncle Edward Sparhawk, with children Samuel and Sarah, his kinswoman Bridget wife of William Andrews of London, his father-in-law Robert Feltham of Sculthorpe, Norfolk, his uncle John Crane with son John, his father Robert Crane, his cousin Cooper widow, his cousin Burgie widow, his cousin Robert Foulsham, his cousin John Voyce, his cousin Frances Stafford widow, his cousin William Foulsham, his cousin Robert Crane of Braintree, Essex, with son Robert, his cousin John Sparhawk, his cousin Bridget wife of John Vice, his cousin Mary Smith, his cousin John Blomfield, his cousins John Rogers and William Hubbard, both of Ipswich in New England. Proved at London, 20 August, 1670.

Thomas Cushing, of London, in his will written 10 August, 1669, mentioned his sister Katherine Long, his niece Anne Cushing, his niece Elizabeth Cushing, Margery late wife of his brother William Cushing, Godly late wife of his brother Peter Cushing, brother Theophilus Cushing in New England, brother Matthew's eldest son Daniel Cushing who is also in New England, cousin Jeremiah Cushing also in New England, cousin Matthew Cushing also in New England, cousin John Cushing also in New England. Proved at London, 25 April, 1678.

Philip Lovering, of ship Falcon, by his nuncupative will dated 17 September, 1680, gave all to his son Philip Lovering and William Walley, to be divided, meaning his son Philip Lovering there present, and William Walley, now in Charlestown, New England. Proved at London, 20 October, 1680.

Joseph Cooke in his will mentioned his brother Nicholas Cooke, with wife Mary, and their youngest son Joseph now residing in Virginia. Proved at London in 1687.

John Goding in his will bequeathed to his mother his estates in Virginia, England, and elsewhere, and his debts in Virginia, England, or elsewhere. Proved at London in 1687.

John Greene, late of the parish of Petsoe, co. Gloucester in Virginia, now of the parish of St. Buttolph's without Aldgate, London, in his will written 16 April, 1685, being about to go to Virginia, made his wife Ann his attorney, and gave to his wife his six hundred acres of land in Petsoe, Virginia, with dwelling-houses, etc., thereon, which were given to him by the will of his late father, John Greene. Proved at London, 8 January, 1693.

Elizabeth Fawkner, of Epsom, co. Surrey, widow, left a long will dated 4 June, 1720, in which she named her late husband Mr. Everard Fawkner, his nephew Thomas Bulkley, "now or late Factor at Fort St. George in the East Indies," her cousin Edward Bulkley with wife Sarah and daughter Elizabeth, her nephew Everard Fawkner and his sisters Sarah, Jane, and Susanna, the "children or grandchildren of my uncles Edward Bulkley, Peter Bulkley, and Gershom Bulkley late of New England as shall be living at the time of my decease," together with many more relatives and other persons. Proved at London, 1 July, 1720.

Jeffry Warde, of Great Yarmouth, in his will written 4 October, 1665, mentioned his wife Margaret, his sister Thomasin, now or late the wife of Robert Buffam of New England, his sister Jane Mills widow, William Warde, son of his brother George, his sister Dionis Locker deceased, his kinsman Francis Clifton, his kinsman Benjamin Barker, Jeffry son of his brother George, his nephew William Warde, son of brother George, his nephew George, son of Toby Warde deceased, his brother-in-law John Riches, his nephew Jeffrey son of Toby Warde, his nephew Thomas son of Toby Warde, his nephew Thomas son of Gabriel Warde deceased, his nephew Augustine son of Toby Warde, Abigail widow of his brother Toby Warde, his nephew Robert son of brother Toby Warde. Proved at Norwich, 9 April, 1666.

"Know all men by these presents, that, whereas I John Dinwodie of Hanover parish in King George's County, Rapahanick river in Virginia have lately come from thence where my family reside to Glasgow the place of my nativity," etc., daughters Elizabeth and Jane, and wife Rose Masson, to divide the estate in Virginia, brothers Robert and Lawrence Dinwoodie, brother-in-law John Baird of Glasgow, sisters Mary, Sarah, Janet, and Christian Dinwoodie, "children to be brought to Scotland and brought up in my native country." Proved at Edinburgh, in Commissariat of Glasgow, but no date is given, (? 1726).

## ANNUAL MEETING, APRIL, 1884.

The Annual Meeting was held on Thursday afternoon, the 10th instant; the President, Mr. WINTHROP, in the chair.

The Recording Secretary's report of the last meeting was read and accepted.

The Librarian's monthly list of gifts to the Library was submitted.

The PRESIDENT then addressed the Society as follows:—

We come to our Annual Meeting once more, Gentlemen, under circumstances of satisfaction and prosperity which may well make us grateful for the past and trustful for the future. But I leave all the details of our condition for the Annual Reports of our Council and Treasurer, which will presently be submitted to you.

It can hardly fail to have been observed that, by a striking coincidence, two of our leading sister societies have successively been bereaved of their Presidents within a few weeks past. John William Wallace, Esq., the late President of the Pennsylvania Historical Society, and the Hon. Augustus Schell, the President of the New York Historical Society, were accomplished and distinguished men, who had rendered valuable service in their respective spheres and whose characters entitled them to every consideration. Our records may well contain this passing tribute of respect to their memories and of sympathy with our sister societies.

But we need not look beyond our own rolls for those entitled to a special mention to-day.

The name of the eminent French historian, MIGNET, has stood at the head of our Foreign Honorary Roll for several years past, and must not be suffered to disappear in silence. He was elected an Honorary Member of our Society on the 12th of April, 1860. The ocean telegram announces that he died in Paris on the 24th of March, in his eighty-eighth year, having been born at Aix, in Provence, on the 8th of May, 1796.

Educated to the bar, he practised the law but a short time, and soon turned his attention to literature and history. Establishing himself in Paris in 1822, he commenced his career there as a journalist, and was engaged for ten years or more in contributing to some of the leading liberal newspapers. He was especially associated with his life-long friend, Thiers, in founding and conducting the "National," and with him was one of the signers of the famous protest against the Polignac decrees, which led to the downfall of Charles X. Before this, however, he had secured for himself a widespread celebrity as the author of a brilliant history of the great French Revolution of 1789. It was published as early as 1824, went through many editions, and was translated into many languages. I recall it in its English version as one of the historical works which interested me most deeply more than half a century ago.

After the Revolution of 1830, and the accession of Louis Philippe, Mignet was made a Councillor of State and Director of the Archives in the Ministry of Foreign Affairs. But the Revolution of 1848 terminated all his official relations, and left him free to devote himself exclusively to his favorite historical and literary pursuits. He had become a member of the French Academy in 1836, and was the senior member, by date of election, at the time of his death. But even four years earlier, in 1832, he was one of the members of the Academy of Moral and Political Sciences—one of the five Academies of the Institute—on its reorganization, and was soon made the Perpetual Secretary, as it is called, of that Academy,—an office which he held for more than forty years, having resigned it only a year or two before his death.

Meantime he was preparing and publishing many interesting and valuable volumes of historical documents and of biography,—among them, "Negotiations relating to the Spanish Succession," a charming Life of Marie Stuart, and an elaborate account of the Abdication of Charles V., and of his residence and death at the Monastery of Saint-Just. Other volumes, on the subject of the Rivalry of Charles V. and Francis I., and on Philip II. and Antonio Perez, have since followed; while our Corresponding Associate, M. Vapereau, in his invaluable "*Dictionnaire des Contemporains*," is authority for an impression that Mignet had been occupied for more



than thirty years on a History of the Reformation, and had collected hundreds of volumes of manuscript correspondence on that subject.

But it was as Perpetual Secretary of the Academy of Moral and Political Sciences that Mignet obtained his most enviable distinction and performed his most conspicuous service. In that capacity it became his duty, or at least his privilege, to pronounce an *Éloge* on some one of his deceased associates at the Annual Meetings; and these meetings, in no small degree owing to the brilliancy of his discourses, came to be counted among the events of Paris. Of these discourses, published in successive volumes, under the title of "Notices et Portraits Historiques et Littéraires," I have at least three volumes, besides ten or twelve of his subsequent productions of the same sort in the separate pamphlets published by the Institute, all presented to me by himself. It happened that on my first visit to Europe, thirty-seven years ago, our historian, Prescott, gave me a note of introduction to our late Honorary Member, Count Adolphe de Circourt, who took me to the Annual Meeting of this Academy on the 5th of June, 1847, where I had the good fortune to hear Mignet deliver one of these discourses, and where I had the still better fortune to make his personal acquaintance. From that time to this I have never been in Paris without meeting him; and there is at least one of the letters which he occasionally wrote to me which I should be unwilling to lose from my file of vouchers. I will not read it now, but may perhaps venture to append it to the report of these remarks in our Proceedings.<sup>1</sup>

<sup>1</sup> INSTITUT IMPÉRIAL DE FRANCE:—ACADÉMIE DES SCIENCES MORALES ET POLITIQUES, PARIS, le 24 Juin, 1867.

MONSIEUR, — L'Académie a reçu la seconde et fort intéressante partie de l'ouvrage que vous avez publié sur votre illustre ancêtre John Winthrop, gouverneur perpétué de la Colonie de Massachusetts, dont il a été justement appelé le père, et qui, par ses services comme par ses vertus, a mérité que son nom fut placé dans le souvenir de son pays, à côté du grand nom de Washington.

L'Académie m'a chargé de vous transmettre ses remerciements que j'aurais dû vous adresser depuis quelque temps à Boston, et que je vous fais parvenir un peu tardivement à Londres, où j'ai appris, par M. de Circourt, que vous deviez arriver le 23 Juin. Cette seconde partie de la vie et des lettres de John Winthrop a été placée, par l'ordre de l'Académie, dans la bibliothèque de l'Institut, à côté de la première partie qu'elle complète si heureusement.

Agréez, Monsieur, la nouvelle assurance de ma haute considération.

MIGNET.

Monsieur ROBERT C. WINTHROP.



Thirteen years after I had first met him, and listened with so much delight to one of his discourses, I was privileged to hear a second. This last, on the 26th of May, 1860, was in many ways a memorable occasion. It was during the Second Empire, and at a moment when Napoleon III., by act or threat, had rendered himself particularly obnoxious to men of Mignet's independent and liberal spirit. The old hall of the Institute is not a large one,—accommodating hardly more than four or five hundred persons, galleries and all. It was crowded on that day by the most notable literary characters of France, with not a few distinguished ladies. Guizot and Thiers, Lamartine, Victor Cousin and Villemain, Rémusat, Barthélemy St. Hilaire, and Chevalier, and I know not who all, were in their seats as members. In the corners of the hall, where they had been from the foundation of the Institute, were the old statues of Bossuet and Fénelon, Descartes and Sully. Soldiers of the line, with their bayonets, stood in the aisles; gens-d'armes, on foot and mounted, were around the palace; ushers in costume conducted us to our seats, and the principal officers of the Academy were in their embroidered coats. All this was according to usages long ago established, and observed to this day.

The President of the occasion, the Director of the Academy for that day, M. Louis Reybaud, opened the exercises, as I well remember, with a brief address, assigning the prizes of the last year, and announcing the subjects of competition for the next year. And then M. Mignet, in his uniform, came forward to the Secretary's desk, and proceeded to pronounce an *Éloge* on M. le Comte Portalis, a distinguished statesman and member of the Academy, who had died two years before, at eighty years of age, after a life of varied and important political and literary service.

Nothing could have been more interesting or impressive than this discourse, or more felicitous in composition and delivery. Though never rising from his chair, and using his manuscript from beginning to end, he held his audience in rapt attention for an hour and a half; and every one would gladly have heard him for an hour and a half longer. There was a charm of voice and manner, a beauty of diction, a distinctness of articulation, and a force of utterance in Mignet, which could hardly be excelled or exceeded. He recalled to

me our lamented Everett, who has had no superior, if any equal, in occasional oratory in our own land, if in any other. Mignet was a person of singular personal elegance and beauty, sometimes even designated familiarly as "le beau Mignet;" and his whole air and aspect while engaged in the delivery of one of these discourses were of the most attractive and fascinating sort. Some of these discourses in themselves were works of art, — biographical cameos, exquisitely cut and set in jewels of history and literature. One might well apply to more than one of them the words which he used in regard to the Biographical Essays of Macaulay, in his *Éloge* on that "Prince of Essayists," —

"Cette série variée de belles études historiques et littéraires dans lesquelles il a semé tant d'ingénieux aperçus, porté des jugements si délicats et si fermes, répandu des théories saines et hautes, où l'imagination se montre souvent, l'esprit ne manque jamais, la pensée éclate et le talent abonde. D'un ordre élevé et d'une exécution originale, ces études, qui ont fait appeler M. Macaulay dans son pays, par une expression inusitée dans le nôtre, le *Prince des Essayistes*, sont des morceaux rares de littérature et d'histoire."

His subject on this occasion gave him a wide scope. He would almost seem to have selected it with a purpose. The life and career of Count Portalis and his father covered the period of both Empires and of the intervening reigns and revolutions. Mignet was familiar with them all, and found not a few striking parallelisms between the scenes he was describing and the events which were going on around him at the moment of his discourse. But it was enough for him to recount the past, and leave the application to be made by his hearers. He knew how to make happy hits, and even, sometimes, severe strictures, without any resort to personality or any sacrifice of dignity. All the more telling were his indirect allusions to the existing condition and the actual government of his country. No one of them failed to be understood and appreciated. It was not a little amusing to watch the countenances of some of the Imperialists present during the more salient and suggestive passages of the discourse. There was even a rumor in the air that he had given offence in the highest quarters, and that the Academy might suffer from the Emperor's displeasure. But while

Mignet was not of a complexion to be overawed or intimidated by any such apprehensions, he was careful to observe all the proprieties of his position, and to leave nothing positive or palpable for Imperial censure. It was altogether a masterly effort, and one which gave me the strongest impression of his ability as a writer and of his consummate art as an orator.

It has happened to me, in repeated visits to France, to find myself in the way of hearing not a few of her great modern orators. I have heard Guizot and Thiers, Jules Favre and Rouher, in the Tribune; Dupin *ainé*, at the bar; Coquerel, Bersier, and Père Hyacinthe, in the pulpit; and, quite recently, M. Renan, at the Institute: and I have brought away a very high idea of French eloquence. I might have derived a still more exalted impression of it, could I have heard some one of the great efforts of Berryer in the Halls of Justice; or the splendid speech with which Lamartine confronted and drove back the red flag of the Commune at the Hôtel de Ville in 1848; or the superb eulogy of the great Bishop of Orleans, Dupanloup, on General Lamoricière, which Mignet himself once told me was hardly inferior to anything of Bossuet. But as it is, I look back on the two discourses which I was privileged to hear from the lips of Mignet as models *par éminence*, in diction and delivery, of the kind of oratory which belonged to the occasions which called them forth; and the remembrance of them has often given me the inspiration and the example for efforts in the same line.

He did not confine himself to his own compatriots in bestowing the honors of these anniversary tributes. Brougham and Macaulay of England shared them, in their turn, with Aneillon and Savigny of Germany, and with Sismondi and Rossi of Geneva or Italy, as well as with Talleyrand and De Tocqueville and De Broglie and Victor Cousin of his own land.

Nor, certainly, may I forget that among his portraits and historical notices will be found an eloquent discourse on our own Edward Livingston, the author of the Louisiana Code, and the writer of the grand Proclamation against Nullification, issued in 1830 by President Jackson, to whom he was then Secretary of State. Still less can I fail to recall the admirable little Life of Franklin, which Mignet prepared and

published under the auspices and by order of the Institute, as one of a series of tracts for the instruction of the people, when France had established a republican government in 1848. These two productions alone would have entitled his name to a welcome and honored place on our rolls and in our respect.

One of the last utterances of Mignet was his brief but brilliant address, in association with Jules Simon and Léon Say, at the inauguration of the statue of his beloved friend Thiers, at St. Germain-en-laye. This was as lately as the 19th of September, 1880, after he had entered on his eighty-fifth year, when he paid a touching and exquisite tribute to one whom he spoke of as for more than forty years his *confrère* in the Academy, and for more than sixty years his intimate, confidential friend. Two years later still, in May, 1882, I visited him at his apartments in the Rue D'Aumale, and found him genial and cordial as ever, with his pen in his hand and a pile of manuscript on his table, evidently engaged in historical composition, and promising, by the *lumen juventæ purpureum* still lingering on his charming countenance, to live and labor for many years to come.

My last glimpse of him was at the Institute, a few days later still, when he was enjoying with the youngest the sparkling wit and eloquence of Cherbuliez and Renan, and witnessing a scene which furnished a striking illustration of the widely contrasted varieties of accomplishment and achievement which are included in the charmed circle of that famous body, while the brilliant philologist and critic Renan was welcoming the captivating romance-writer Cherbuliez to the chair which had lately been vacated, among the Forty Immortals, by a grave and dignified jurist and minister of state, — Dufaure.

There I left Mignet for the last time, and there I leave him now; assured that there he will be longest remembered, and that there he would most desire to be remembered. Among all those forty, and the many times other forty, with whom he was associated during so protracted a membership, no other one certainly will have deserved or secured a more endeared and cherished memory.

I must detain you, Gentlemen, a few minutes longer.

From our Corresponding Roll, since our last meeting, we have lost Dr. Alfred Langdon-Elwyn, who died at Philadel-

phia on the 15th ult<sup>o</sup> in his eighty-first year. He was born in Portsmouth, New Hampshire, on the 9th of July, 1804, and was a grandson of the eminent John Langdon, a former governor of New Hampshire, who in 1789 was the first presiding officer of the Senate of the United States, when Congress assembled for the inauguration of Washington as President.

Dr. Langdon-Elwyn was of the class of 1823 at Harvard College, and was graduated a Doctor of Medicine at the University of Pennsylvania in 1831. Residing abroad for several years, and attending the medical lectures and hospitals in Paris and elsewhere, he brought home many anecdotes of the famous doctors whom he had known and studied with. But he did not engage seriously in the practice of his profession, devoting himself rather to natural history and practical philanthropy. Fixing his home in Philadelphia, he became a member of the Pennsylvania Academy of Natural Sciences, a fellow of the American Philosophical Society, and a member, and at one time a Vice-President, of the Pennsylvania Historical Society. He had a taste and a talent, also, for Botany and Agriculture, had a fine farm, tilled his own fields, and was, for a longer or shorter time, President of the old Philadelphia Agricultural Society,—one of the oldest, if not the very oldest, in our country. At the same time he was prominent and active in many worthy associations of a moral and benevolent character, and was President of the Pennsylvania Institute for the Instruction of the Blind, of the School for Feeble-minded Children, and of the Society for the Prevention of Cruelty to Animals.

Our own Society, of which he was chosen a Corresponding Member in 1880, has reason to remember him as having contributed a collection of interesting autograph papers to our archives, and as having published a handsome volume of the letters of Washington, Adams, Jefferson, and others to his grandfather, John Langdon, of which he sent a copy to our Library. A privately printed religious poem of his—which never went, I believe, beyond the circle of his friends—gave a vivid impression of his faith and piety. He was a man of some eccentricities, but full of intelligence, amiability, and hospitality. Webster and Ticknor and Jeremiah Mason were familiar guests in his mother's old home at Portsmouth; and his family had many friends in our own city, among whom

I may count those nearest and dearest to me, as well as myself.

I must not conclude these introductory remarks without presenting to our Library, in the name of its author, Daniel Goodwin, Jr., Esq., of Chicago, a very interesting and valuable memoir of "The Dearborns,"—a commemorative discourse delivered before the Chicago Historical Society, on the eightieth anniversary of the occupation of Fort Dearborn and the first settlement of Chicago, in December last. It gives an excellent account of the career and character of General Henry Dearborn and of his son General Henry Alexander Scammell Dearborn, both of whom were long conspicuous in the history of our country and our Commonwealth; and it is illustrated by portraits of them both. The father was a gallant officer of the Revolution from Bunker Hill to Yorktown, and afterwards Secretary of War and Commander-in-Chief of the United States Army. The son was Collector of the Customs in this city, a Member of Congress from Norfolk, first President of the Massachusetts Horticultural Society, and prominently associated with the erection of the Bunker Hill Monument and the establishment of the Mount Auburn Cemetery.

Our thanks are due, and will be returned with the sanction of the Society, to Mr. Goodwin, for so just and admirable a tribute to these patriotic and public-spirited men, so long known and honored in our own community.

Mr. Roger Wolcott, of Boston, was elected a Resident Member of the Society.

DR. GREEN recalled a question that has been raised several times in regard to the name "Windsor" as applied to certain chairs. References to the subject were made at the October meeting of 1879, and again at the October meeting of 1880. He said that in the "Private Correspondence of Horace Walpole" (London, 1820), allusions are found which may furnish a clue to the answer. Walpole, in a letter dated "Strawberry-hill, Aug. 20, 1761," writes to George Montagu, Esq., that "Dickey Bateman has picked up a whole cloister full of old chairs in Herefordshire" (vol. ii. p. 279). Who "Dickey Bateman" was is not recorded; but Walpole



makes another reference to him in a letter to the Rev. Mr. Cole, dated "March 9, 1765," where he says (vol. iii. p. 24):—

"Mr. Bateman has got a cloister at Old Windsor, furnished with ancient wooden chairs, most of them triangular, but all of various patterns, and carved and turned in the most uncouth and whimsical forms. He picked them up one by one, for two, three, five, or six shillings apiece from different farm-houses in Herefordshire."

Perhaps Walpole, in this quotation, did not mean a monastic cloister, as he says, a little further on, that he himself would like two such chairs for his cloister.

MR. CHARLES F. ADAMS, Jr., communicated the following paper:—

Among the manuscripts belonging to the Society is one known as Marshall's Diary. I have recently had occasion to examine it carefully in connection with historical work I have in hand. The book is not of sufficient value to warrant printing it in full; and I have therefore prepared a memorandum of its contents for the Proceedings of the Society, which will save future investigators the trouble of consulting the original. I have intended to leave nothing of importance without such a reference as will enable any one interested to find it at once in the diary. This memorandum will therefore serve both as an index and as an abstract.

John Marshall was born in Boston, Oct. 2, 1664. A mason by trade, he subsequently lived in that part of the original town of Braintree which is now Quincy. His diary, if such it may be called, covers the period from 1697 to 1711. It consists of the most meagre possible memoranda; a page being given to each month, and, as a rule, a line or less to each day. At the foot of every page it was also his custom to note down any event of general moment which he had heard or read of during the month to which that page was devoted. Here and there in the book a few facts are jotted down which still have a local interest in Quincy; but as a whole the diary is chiefly valuable as giving in small compass a record of the daily life of an industrious, skilled workman living in a country town close to Boston at an early period of New



England development. Marshall's regular wages at his trade seem to have been four shillings, or sixty-six and two-thirds cents, per day. The extent of territory over which he sought and received employment is very noticeable. He constantly worked in Boston and on Castle Island, as well as in Hingham, Weymouth, Milton, Dorchester, Medfield, and elsewhere. There were also few things to which he did not turn his hand when regular work was slack. He was a non-commissioned officer in the Braintree company, an active member of the parish, and for several years he served as precinct constable. He farmed on a small scale, made laths in winter, painted houses, acted as a carpenter and messenger, burned bricks, and bought and sold stock. He was deeply religious, and on his birthday such entries as the following are found:—

"This is written October 1<sup>st</sup> in the evening and to morrow is my birth day. I am now 40 years old and cannot but be ashamed to look back and consider how I have spent my past time. being at a great losse whether ever any true grace be wrought in my soul or no: corruption in me is very powerfull. grace (if any) is very weak and languid. I have reason to pray as the spous, awake o north wind, and come thou south wind and blow upon my garden, to stir up my self to take hold of God. to engage my cry to the Lord and my whole man in his service, which the Lord enable me to doe."

The volume was presented to this Society by the Rev. T. M. Harris. There should, I think, be other volumes covering subsequent years; but apparently they have been lost. How this volume happened to be preserved, does not appear. It has already been freely used by historical investigators. The late Dr. W. P. Lunt in particular not only went over it with much care in 1840, when preparing his two discourses on the Two Hundredth Anniversary of the First Congregational Church of Quincy, but in the appendix to those discourses he printed (pp. 108-11) everything of any moment which Marshall had noted down connected with the North Precinct Church of Braintree. These extracts are chiefly of local interest, and have already been used; I have not therefore thought it worth while to refer to them again here. They can be found with Dr. Lunt's sermons.

The regular monthly memoranda begin with January, 1697. They are well described by the writer at the head of the

thirteenth page of the book, the preceding pages being devoted to jottings, lists of names, etc., of no value. Marshall's words are as follows:—

"Heer is contained in this booke some breif memorialls of my own buisnes how I spend my time, what work I do, and wheir: some remarkable providences recorded, and the weather remembred."

The following is a fair specimen of the entries:—

- 1 I was idle it being winter weather the private meeting at my house
- 3 the sabbath my letter of dismission read an order for a publick fast.
- 5 I went to hull with ensign peniman and brother Parmenter.
- 6 Came home againe from hull.
- 12 made 300 lathes
- 13. 300 more
- 14. A General fast through the Province.
- 26. I went to Boston mother being gone.
- 27-28. at Boston among my friends and there fell a Litell snow.

In February the writer seems to have been idle most of his time, though on one or two days he "Rent a few Lathes." On the 16th he went to Weymouth lecture; on the 17th he digged stones for his cellar walls; on the 19th he went to the mill; on the 20th to Milton; on the 27th to Boston, getting home at night. At the close of the month he notes:—

"On the 10 day about a quarter of an hour before sun rise hapened an earthquake: the weather was cold, the ground hard frozen: Litell wind heard; yet the ground in some places shook extreamly; to the great teror and afrightment of severall, tho it Lasted but a very Litell time: ther is a discourse of an earthquake at Taunton and at Wrentham at the same time, the truth of which I know not."

July 28, 1697. Samuel Tomson was this day sollemly admonished by the church. [See also December following.]

Remarks on July, 1697. "This month of July the people of God in this province have had the awfull tokens of divine displeasure on them, for besides the sore and long continued drought, which hath been distressing in almost all places, the wrath of God hath appeared divers other ways: the enemy indians to the eastward did much hurt in this month: every week brought us the sad notices of it:

"the 4<sup>th</sup> day of this month being the Lords day, the worshipful major Frost of Kittery was killed and scalped by the indians as he was going from the publick worship: he was a godly and choice sperited man, a member of the councell for this province."

Notes the death on the same day of Mr. Joshua Moodey of Portsmouth, "a zealous and lively preacher of the word of God: a man mighty in prayer. Jacob like he would weep and make suplication." Also the death of the Rev. Benjamin Esterbrook of "the place known by the name of Cambridge farms."

"The sore drought continueing God put it into the hearts of some of his servants to seek him by prayer and fasting for the desired showers of rain: many of the towns and churches observed such days, as the church in Dorchester and in Bridgewater and in Weymouth, to all of which the prayers of his people God gave a gracious answer some time on the same day such answer came

"O the force of prayer."

Remarks on August, 1697. "Although in the last month we had some small showers of Rain whereby the corn was preserved from perishing utterly, yet ther had not been a soaking plentifull Rain since the month of May till the 3<sup>d</sup> of this month: and then it rained moderately most part of the day, and all the night following it Rained most plentifully. insomuch that Rivers and Brooks rise very considerably by reason thereof: a very great mercy. the sabbath before the first Church in Boston agreed to keep Thursday following as a day of fasting and prayer to aske rain. the mercy came before the day came: But it was kept accordingly."

Notes also the fight with Indians at Wood Island, Me.; "George Witly who belonged to Braintree was killed."

On the 24th a ship, Edward Lillye, master, lost on Cape Cod.

September. Notes French cruisers on the coast, "the 5<sup>th</sup> of this month being the Lords day the French took 5 sloops at Plimouth, some of which was loaded with hay." On the 11th Indians attack Lancaster, and kill "the Reverend Mr John Whiteing, pastor of the church of Christ there." On the 12th a skirmish with Indians at Damariscove, Major John March commanding the English, Captain Demmick killed, and Captain Phillips of Charlestown and Captain Whiteing of Connecticut wounded, the latter in the head. A ship on the 24th lost on Harding's Ledge, and Deborah Kembell drowned going from Boston to Hull.

"On the 28 of September 1697, in the evening my wife was delivered of a daughter, who was the Sabbath after Baptized By Mr Fisk, named Mary. She is alive to this day. is now a maryed woman. her husbands name is Benjamin Soper. She is the mother of 3 children, one son and

2 daughters: she is this day 30 years of age, September 28, 1727: The Lord multiply his Blessings on her."

October. Notes that on the 6th "Mr Henery Gibbs was ordained at Watertowne though not without some disturbance from some of the inhabitants of that towne." On the 28th "dyed the famous Mr Samuell Hooker, the Learned and much Lamented pastor of the church of christ in Farmington, Connecticott."

December. Notes at length the death and burial of the Rev. Mr. John Bailey, formerly of Limerick in Ireland, and his brother Thomas. "At the latter end of this month people in many towns and places began to fall sick of a sore cold atended with a cough and feavor which proved mortal to some."

1698. January. "This month of January past was in respect of snow and cold more than ordinary bad. We had 10 days together pinching pearceing cold: and much snow. Also the sickness began last month this month extended to almost all familys. Few or none escaped, and many dyed specially in Boston, and some dyed in a strange and unusuall maner. in some familys all weer sick to gether, in some townes almost all weer sick so that it was a time of sore distres."

February. "9 (Wednesday.) a private fast in Brantree and a gathering for the poor."

Notes. "Their dyed in Brantree in the year 1697, 12 grown persons, . . . also 12 children." On the 5th "dyed the honourable Collonell Sam<sup>l</sup> Shrimpton a member of the Councell." Also the Indians attacked Andover, killing five persons and rifling the house of Major Dudley Bradstreet, Esq., carrying off him and his wife, but shortly letting them go. "Allso this month was a very sickly time in many towns: people haveing a strange and unusuall cold of which many dyed in some places, and some very sudenly. But toward the end of it the sicknes abated.

"Allso this winter hath been a sore and tedyous winter pinching cold and much snow. By reason of which many weer pinched with want: the drought last year and hard winter caused many to want hay. and many Cattell dyed."

March. "7 Town meeting to choos constables and other officers, the office of a constable i narrowly escaped, By 18 votes: Mr Rawson 19 — no more: he served."

Notes the death of Bartholomew Gidney, Esq., "a member of the Councell. Collonel of the regiment for the County of Essex."

April 22. "went to Boston to fetch my wife and Mary. they went in the boat last Munday."

Notes the death of the Rev. Mr. Charles Morton, pastor of the church of Christ in Charlestown.

An account of money given to the contribution this year, 1698:

1699.			
May 1	1 s.	April 30	1 shill.
May 22	6 d	May 14	8 pence
July 3	1 s.	June 18	1 shiling
August 7	1 s.	July 20	8 pence
Aug. 28	1 s.	Sep' 3	8 pence
Dec' 4	1 s.	Oct' 15	6 pence
January 1	6 d.	Novem' 12	4 pence
January 8	6 d.	Dec' 24	1 shilling
		Feb. 25	1 shilling

September. "About the middle of this month a young woman was executed at Springfield for murdering her bastard child."

October. "At the superior court the last Tuesday of this month Sarah Threenedles was arraigned for murdering her bastard child and on tryal was found guilty: and therefore was condemned to dye."

November 17. "this day Sarah Threenedles sufered."

Notes "God's mercy to the church in Cambridge farms who after a sore bereaveing stroak in the death of Mr Easterbrooks last year was now again resettled: Mr John Hancock being ordained over them in the Lord the 2<sup>d</sup> day of this November."

"Allso the young woman named S. T. condemned last month was executed the 17 of this."

"Toward the close of this month we had a generall Contribution through the Province for some that are in captivity in macaness [Mequinez] a place in Barbary under the emperor of Morocco."

"1699. May. I did not hear of any great matter which hapened: only we had severall sick with an unusuall distemper called the mumps of which some weer bad. But none dyed, that I heard of. Great expectations we had of his excellency RICHARD earl of Bellomont: and great preparations to entertain him: who came to Boston on Fryday the 26 of this May: and to receive him ther was I think twenty companys of souldiers of which 3 weer troops, and such a vast concourse of people as my poor eys never saw the like before: the life-guard went to Roadisland to wait on him: two troops went to Dedham to meet him their: and when he came to Boston we made a guard, from the end of the towne to the South meeting house. the life guard rode foremost then came some officers: next his Lordship and Countess: then the troops and other gentlemen: the drums beat the trumpets did sound, the Coullors weer displayed: the Cannons and ordinance from the ships and fortifications did roar: all manner of expressions of Joy: and to end all Fireworks and good drink at night."

June. "His excellency went to view the castle on June 12: and

discharging some of the canon their according to the usuall manner on such occasions, one broke, and two men weer killed one the same minute: the chiefe guner his name was Nathaniel Holmes. one other named Samuel Proctor dyed four days after."

September. "The woods swarmed much with Bears. many weer killed, and more escaped. whether it doth not portend any strange Providence to come is to us as yet unknowne."

"On the 13 day Mr Nathaniel Hunting was ordained pastor of the church at East Hampton on Long island."

October 3 and 4. "diger Mr Quinsey's tomb. . . . 14 at tomb all day, 15 the sab. 16 at tomb: and put the corps in and so left it."

Notes that on the 26th "the Reverend Mr Sam<sup>l</sup> Man of Wrentham had his house and all in it burned, in the dead of the night no man knows how."

November 7. "Ben Neall caught a wolfe of which I cutt off the ears when dead."

Notes death of Thomas Danforth on the 5th day of the month, who "had a cheif hand under God in puting an end to the troubles under which the Country Groaned anno 1692." About the 25th "ther was a Liberrall Contribution for the Rev<sup>d</sup> Mr Samuell Man. By which his Great Losse was in some measure repaired againe."

1700. January. Notes that:—"A ship came from *England* called a man of warre to carry home the *pyrates* ther to receive punishment: and she went away about the beginning of March following: and we heard by Cap. Green who arived May 22<sup>d</sup> they had a passage of But 3 weeks: and on July 11<sup>th</sup> ten of them weer executed at execution dock. as we had certain intiligence afterward."

February. "On the 14<sup>th</sup> of this month dyed in Boston the aged and Reverend Mr Thornton: who was formerly minster at Yarmouth."

Notes contributions in 1700-3, amounting to 3 s. in 1700; 2 s. 8 d. in 1701; 5 s. 4 d. in 1702; 3 s. 8 d. in 1703.

March "8 went to Weymouth Mr John Rogers was this day ordained Rulling elder of the Church in Weymouth: By Mr Torrey."

April "3 went to Boston with a Roge that ran away from me."

May. Notes that "about the middle of the moneth dyed the Rev<sup>d</sup> Mr Hale minister at Beverly: a great loss to the country in generall, and to that poor town in perticuler."

June. Notes on the 17th the death of John Eyre, Esq., "a godly and choice spirited man" at Boston; and on the 28th the death of Mr. James Blake, "ruling elder of the church of Christ" at Dorchester.

July. Notes the death, on the 20th, of the Rev. Mr. Ichabod Wiswall of Duxbury, "a man of eminent accomplishment for the service of the sanctuary."

August. "14. was a day of fasting and prayer observed by the



Church and people of Braintree, occasioned partly by the late severe drought, partly for fear of the enemy, partly in order to the settlement of the Church with a ruling elder and deacons."

Notes the death of Adam Winthrop, Esq., in Boston; also of Mrs. Susanah Dawes. On the 28th Mr. Ebenezer Pemberton was ordained pastor for the South Church in Boston. "About this time many persons dyed at Boston, especially children, of a bloody flux and feaver, and some dyed of it in the Country."

October. Notes that "2 ministers at this time viz. Mr Peter Thacher and Mr John Danforth went to Road island to examine some persons of their knowledge in the things of God and baptize them. they baptized at the island 26: and at Saconet 60 or thereabouts."

1701. March "13 at Jo Adams a ground pinning."

April. Notes that the wife of Jonathan Fuller of Dedham, who "had the esteem of a very pious woman yet fell into a mallencholly fit toward the close of her life through the mallice of Satan and the Righteous permission of God in which mallencholly pang it is feared she cast herself into the well and so dyed."

May "19 went to Major Hunts to answer Sol Vezey Jackanapes."

July. Notes at length the death, on the 7th, of "Willyum Stoughton Esquire," and mentions his public services; "he was interred at Dorchester the 15 day of July: with great honnor and solemnity and with him much of New Englands glory."

December. "as to this year past it hath through the goodness of God been a quiet year to us in New England. we had discours of war all Summer Long But it was only discourse: we had generall health in most of the towns and a pretty good crop of Indian and english grain and hay: so that we had no complaining in our streets. God frowned on the Land by the death of our governor the earle of Bellomont Last March And by the death of the Deputy Gouvernour Stoughton in July Last past, and sundry others of great worth dyed this year as the Rev<sup>d</sup> Mr Willyam Brimsmead of Marlborough. Yet among all these sad providences God remembered mercy for his poor people by speriting the remaining of our Councillors to their work. By which the Country was put into a posture of defence against enemies."

1702. February. Notes at length the crime of Esther Rodgers, executed at Ipswich, July 31, 1701, for the murder of her child, and refers to three sermons preached thereon in Ipswich.

June. "the distemper of the Small Pox began in Boston: and all though the report of it at first caused fear in many yet none dyed of it in severall weeks, and such as had it, had it very favourably: by reason whereof it was the more slightly accounted of: But before the country was clear of it many lost their lives by it.

August. "The small pox began to spread in Boston about this time:



the first that dyed of it was the wife of one Pits, a butcher: August 5<sup>th</sup> 1702."

September. "The small pox haveing been in Boston some months whereof a few only dyed, but in the above month of September it grew very mortall, severall dyed of it. it was attended with a sort of feaver called the scarlett feaver. divers of all sorts old and young, male and female fell by it: it was also a sore time of drought: the Churches in the severall towns kept days of fasting and prayer to entreat the divine favor for our poor Land."

October. "Many dyed in Boston of the feavor and small pox, so that it was a time of sore distress: the 22<sup>d</sup> was a day of fasting and prayer through the province."

November. "By reason of the small pocks in Boston the Generall Court sat at Cambridge: although they did not do any great matter that ever I heard of: many dyed in Boston of the feaver and small pox."

December. "Through the great mercy of God we in Brantree weer in health thus far in this sick and dying time, only a few children weer sick. But at Boston many dyed although the feaver was not so bad now as in time past, yet the small pocks was very Bad. so that I may truly call to mind the words of the prophet, the Lords anger is not turned away. But his hand is stretched out still."

1703. February. "the small pox haveing been very sore a long time in Boston it began to abate in this month of February."

Notes the death of Colonel John Pyncheon of Springfield, "who had been a magistrate 50 years."

March. Notes the death of the Rev. Mr. Jabez Fox of Woburn, on the 1st; and of Mrs. Hollman of Milton on the same day.

April. Notes the death, on the 8th, of "James Oliver physician, a man beloved, pious and usefull above many."

October. Notes the death of Captain Richard Sprague of Charlestown, who "gave the sum of £400 to harvard Colledge."

November. 17 "at night my wife was in travell all night: 18 my wife was delivered of a daughter whose name is Deliverance: about 10 of the clock: and about 4 in the afternoon she was delivered of a son which was still born. She had a very sore travell."

20. "I buried my poor litell infant. weather cold. 21 the Sab. Deliverance baptized."

28. "The sabbeth and a very sore storm of snow and haill. in this storm I beleive the snow fell near 18 inches on a levell. by reason of the storm we had but one exercise in publick this Lords day."

Notes the unusual severity of the weather during the month, and the death of Ensign John Bullin of Medfield while felling a tree.

December. "It may and ought to be noted in order to our thank-

fullness that this Summer past we had as seasonable weather for the making the earth fruitfull as is usually known. So that this Winter provision hath been more plenty and cheap than is frequently known. beef for 6 farthings per pound, pork at 2<sup>d</sup> the most. the best 2<sup>d</sup> $\frac{1}{2}$ : indian 2 shillings per bushell. mault barley at 2s and 6<sup>d</sup> and the whole winter was a time of Genrall health Allthough the winter was as hard and cold, long and tedious as any I ever knew."

Notes the great storm in Europe of the 26th of November, giving the details thereof as "sent from England by dr Increase Mather."

1704. January. "4 I bought a hog of Nathaneel Spear weighed 260 pound, came to 3 pound 3 shillings, and a quarter beef of brother Brackett weighed 74 pound came to 12 shilings. 5 salted beef and pork."

February. Notes the sack of Deerfield by the Indians, and the captivity of Mr. Williams, and the killing of Mrs. Williams, "daughter to the Rev<sup>d</sup> Mr Eleazer Mather."

April. Notes the death, on the 22d, of Colonel "Daniell Peirce Esqr of Newberry" — "and whereas on the 6 and 7 and 8 days was a sore storm a small French privateer who came from Port Royall to rob our corn vessells was by reason of stress of weather drove on shoar and the men being 37 in all weer seized by our English men and all brought to Boston: this is to be acknowledged a very mercyfull providence."

May. Notes Captain Benjamin Church's expedition to Port Royal.

June. "13 was a muster in Brantree to press men for the Countrys servise among whom I was impressed for one: 14 I went to the Governour and got a clearance from the impress."

Notes the execution, on the 30th, of Captain Quelch [Welch] and five more for piracy.

August. Notes Indian raids on Lancaster, Groton, and Marlborough, carrying away four children from the latter place.

October. Notes the death, on the 12th, of Deacon Diar of Weymouth; the ordination, on the 25th, of Mr. Breck of Marlborough; the attack of Groton by Indians and the death of Davis; the burning of the house of Nathaniel Rogers at Strawberry Bank; the death of Andrew Gardiner, minister of Lancaster.

December "2 bought a hog of Nat Spear weyed 148 pounds for 32 shillings."

Notes the death, on the 8th, of "Mr Thomas Clarke pastor of the church of Chelmsford, and Madam John Leverett "descended of the honorable family of the Sedgwicks."

"also in this month some French prisoners got on board a sloop fitted for sea and ran away with her leaveing the English owners to lament their loss."

1705. February. "26 at home all day wife sick. 27 went to Boston for nesesitys."

March. Notes the death, on the 3d, of Aaron Hobart of Hingham; and on the 16th, of the Rev. Edward Thompson of Marshfield.

April. Notes the death, on the 25th, of old Mr. Hinckley at Barnstable.

May "21 a training in Brantree Capt. Quinsey and Capt. Mills first training."

June. Notes the death, on the 9th, of the Rev. Mr. Michael Wigglesworth of Malden.

August. Notes the blowing up of powder works at Dorchester on the 29th of the month.

1706. January. Notes at length a very severe snow-storm on the 29-30th, and the death, on the 20th, of "Lady Mary, formerly wife to the honorable Sir Willyam Phipps Kt. But at her death the wife of Peter Sergeant Esq."

June "14 We raised Mr Quinzeys house."

Note. "On the 19 day old Mrs Beers widdow of Cap' Richard Beers dyed. who was aged 92 years and had lived in New England 76 years: who at her death had a grand daughter who is a grand mother."

July "29 I layd the foundation of Mr Quinzeys chimnies."

August "17 Coulouring the pedements at Mr Quinseys most part of day."

September "3-7 every day at Mr Quinceys about the arch."

October "27 the Sab Hugh Addams preached at Monotoquod the first sermon in the new meeting house."

November. Notes that on the 6th Mr. Stodard was ordained at Chelmsford; on the 20th, Mr. Loring at Sudbury: "Mr Sherman being by the sentence of Councill seperated from his office for high misdemeanours." On the 21st John Appleton, Esq., arrived from Canada, bringing with him fifty-seven Indian captives, "chief of whom was Mr John Williams pastor of Deerfield."

1707. January. Notes the death of Samuel Legg, Esq., on the 7th, and of James Bayley, Esq., professor of medicine, on the 17th.

February. Notes that "on the 9<sup>th</sup> of this month being the Lords day in the morning we had an unusuall storm of wind and rain accompanied with darkness and much thunder and lightening which was the more remarkable because of the time of year; in this storm a barn at Scituate belonging to one Thomas Lappam was burnt by lightening and 24 head of cattle in it. a very awful providence."

March. "3 town meeting to choos town officers. weather very cold: I agreed to serve in the office of a constable for Nath<sup>l</sup> Spear for three pounds money."

"31 at home Gathering stones out of the lott and so this cool windy

month of March is marched away. And indeed it was right march many weathers: sometime cold: then hot, then cold, then wet, then dry: it was a time of genral health."

"Our Genral Court sat a considerable part of the month. the most they did was to conclude about a descent on poor Port royal: what it will come to time will evidence: people weer genrally dissatisfyed at the first discours of it. Insomuch that thos deputies of the Genrall Court who weer known to vote for it weer allmost all left out the next choice. from whence arose more of inconvenience then is easy to be enumerated."

April. "7 a training at Weymouth and men pressed to go to Port Royal."

Notes the death, on the 21st, of the Rev. Samuel Torrey of Weymouth.

July. "This month of July hath been the most of it good and seasonable weather. I heard of no great matter of publick concern only our army being at Casco mutinous and disorderly his excellency and council sent Elisha Hutchinson Esq. Pen Townsend Esq. and John Leverett Esq. to them to quell them, and go as a Councill of War to Port royal. After the army had lay there 6 weeks they set sail againe for Port Royall where being arived they did nothing worth remembering. Where the fault lay, whether in officers or souldiers, or both, is not my buisness to enquire. I shall only remark that the disappointment of that design speaks much of divine anger of which we are generally too insensible."

September. Notes that Nathaniel Pitcher was on the 24th ordained at Scituate.

December. "And as to the year past it may be noted that it was a year of Genral health so far as ever I understood. We made a descent on Port Royal in the Spring of the year but it came to nothing save only that it drained the inhabitants of this province of 22000 pounds and more of their money. We lost of lives in that expedition about 30: the summer proved very dry, so that water was as scarce for man and beast I suppose as hath been known in New England. Yet nevertheless we had a comfortable supply of English corn and grass. And as to the Indian crop, although it was ripe more early than usuall yet it was more plentifulous than usuall, and as for apples and Cyder, we had a large supply."

1708. February "26 at home ill part of the day at night before Mr Quinzey<sup>1</sup> with liar [erased] Webb. 3 befor Mr Quinzey — John Webb."

May "10. a town meeting to choos a deputy. a sorry fellow chosen."<sup>2</sup>

<sup>1</sup> Judge Edmund Quincy, a magistrate.

<sup>2</sup> John Webb was delegate from Braintree in 1708.

May 27. "I went to Boston caryed the information against the deputy."

Notes that he "did not hear of any considerable matter of publick concern: only on the Sabbath day May 23 at Middletown in Connecticut a thunder storm arose: and blew down part of an house which came against the meeting house broke a part of the meeting house. hurt the minister and divers of the assembly. on the 19 of May was ordained Mr Ruggles of Billrica."

June "3 a very weet day much thunder and lightening one man killed. I went to Boston about the information."

July "29 [Thursday] The church spent in prayer Mr Fiske being very sick."

December. Notes the death of Deacon William Avery of Dedham "about the middle" of the month, and of Samuel Clap of Dorchester; also of the Rev. John Higginson of Salem in his ninety-third year, "a man of God and a Good man and just full of faith and of the holy Ghost." The summer of 1708 was very dry, "both man and beast was sorely distressed for water, so that Grass and Grain was sorely pinched, and the crops very small." An Indian assault was made on Haverhill in August, and some nineteen persons killed, including Mr. Benjamin Rolfe, the pastor of the church.

1709. January. Notes the death, on the 5th, of Joseph Bridgham, "one of the ruling elders in the old church in Boston."

May. "6 pressed men forenoon."

Notes that "the cheif matter of remark of this time was the forming of an expedition against Canada, for about the tenth of this month a genrall Impress for souldiers for her majesties service ran through this province. Some say every tenth man was taken to serve in this expedition."

June "6. I pressed James Puffer and Jabez."

July "10 the Sabbath Mr Marsh a Bridegroom."

August. "we had our army in pay all this month nothing done by them only eat and drink and run the country in debt."

September. "this month past hath been pretty cool and dry: a costly month by reason of an idle armie: no news of any vallee. God is pleased to continue to us the enjoyment of his slighted and abused Gospell and we have beattle in our borders among all the things that minster sorow to us."

"Toward the end of this month a woman at Boston, a person of a bad report, either drowned herself or was carried away by the devil. her maiden name was Joan Heiferman."

1710. February. Notes the death, on the 28th, of Mr. John Rogers of Weymouth, and remarks "the month ends well with them that are in health and have store of money."

March. "13-14 each day at Mr Quinzeys mill dam. 15 at Mr Quinzeys dam. 29-30 both days very cold I wrought at Mr Quinzeys dam."

June. Notes the death of Colonel Winthrop Hilton of Exeter, and several others, killed by Indians.

August. "7 a Genral muster of our regiment at Weymouth in order to expedition. I was drawn off and impressed.

"8-9. weer idle days seeking to hire a man. 10. a day of Genrall thanksgiving for plentiful rain.

"11-12. about getting a man, at last I got Clement Cook for 12 pound but he was not accepted. So we got Nat<sup>n</sup> Owen.

"24. a Genral muster of the army. I lost good part of the day.

"31. another genrall muster.

"This month I was impressed to go forth in her majesties service. my circumstances not allowing me to go out myself. I therefore hired Nathaneel Owen in my room who was well accepted by major Taylor, mustermaster. And I paid him ten pounds money. The army went to Port Royal and did good service before they came home againe."

September "28 a day of publick fasting and prayer on account of Port Royall affair."

November. "9 I came home from Gulivers: mother being dead.

"10. went to Boston for things for the funerall, a sore journey.

"11. attended the funerall.

"16. a Day of thanksgiving through thees 2 provinces on account of success at Port Royall."

1711, January. "15 Mr Quinseys Barn Burnt this day about 2 o clock P. M."

Notes that the loss through the burning of Mr. Quincy's barn "modestly computed amounted to litel less than 300 pounds."

February. Notes the death "about the middle of the month" of "Collonell John Foster Esq and of the Reverend Mr. Jonathan Russell pastor of the church of Christ in Barnstable."

The diary ends with the month of February, 1711, and the remaining pages in the book, some forty in number, are partially filled with memoranda of little public interest. In January, February, March, and April, 1689, a military watch seems to have been kept in Braintree, consisting of a non-commissioned officer and six men from Captain Savage's company. Marshall was clerk of the company, and noted the details.

"18 Aprill hapned the Revolution, which put an end to this kind of watch, and then the comitee of malitia ordered the 4 center companies



in the towne to keep their corps of gaurd at the towne house. By the number of twelve men a night and a corporall, and 12<sup>d</sup> for the watch to drink.

"We then took the watch October 29 and then watched Nicolas Sharn, Steven Cleford, James Burgis, Nicolas Haill, Benj. Threenedles, Mr Doubleday, Antony Checkly, Thomas Chrisler, Willyam Boatswain, Nath<sup>n</sup> Coffin, Sam<sup>l</sup> Mear, Thomas Watkins."

The names of the watches for each night are then given until November 22; the following note then appears: "in going over the watch the 2 last times they had spent on them in drink 12<sup>d</sup> a night 10 s. and in candles 2 s. 6 d."

"in the Beginning of december the malitia alitered the watch to 7 men a night and 6 d. to drinke."

December 23 "Delinquents this watch 7 sick: 5 from home 9 Refused. I spent on the watch in drink 5 shill in candles 2 shill."

"January 1<sup>st</sup> ordered that 13 men watch a night. I took the watch January 13 168<sup>9</sup>."

Then follow again the names of the men constituting the several details.

"17 this watch I spent in candles 1 s. 6 d. in drinks 5 s."

1690. "Our company wrought at the fortifications 4 days the 1 week in Aprill and what mony was taken of any that did not worke was spent on them that did: and made a returne to the Capt. of them that did nothing:

"March 30, 1690: it was then ordered by the malitia that a military watch be kept in this towne of half a company a night. our company watched the 6 and 7 of Aprill. in the 2 nights we spent in drink 6 s. 4 d. in candles 8 d. one shilling taken between father and self.

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20 and 21 Aprill our company watched I took then of persons that did not watch 11 shill thus disposed of

4 persons I hired  
5 shill spent on the 2 guards  
1 shill candles  
one to myself

---

"8 and 9 of May we watched and both nights we spent on the watch in bread and drink 5 shill, candles 1 s

"I had a warrant from the Capt to make distrainment on them that did not watch which I did accordingly and made returne to the captaine."

Received 1690

"March 27 of John Meriday for not traininge 4 shill of which I gave account to the capt



"Our company watched May 24 and 25 at night and we took then in mony of the companys 7 shillings 6 of which was spent and one to myself.

"Our company watched June 9 and 10, 1690, and by reason of the small pox in the towne and many familys in our company being sick we had but small gaurds. I received in mony of the company of sevrall persons 10 shillings."

1690. "October 7<sup>th</sup> I was by the advice of serjeant Hawkins, Serjeant Hunt and the former clerk: Daniell Fairfield, suspended by the Leiftenant Willyam Gibson from any farther care of the watch till the Capt. Savage came home and the trust of that afaire reposed in the former clerk according to his owne desire

JON MARSHALL.

I liveing out of the towne deserted the companys service Sept 14, 1691, being a day of training the capt released me from my charge as clerk nominated Mr. Fowle to serve the company accepted him for the place he also accepted it. Glad was I, as atests

JOHN MARSHALL.

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CREDIT.

Spent in candles	00	1	00
in drink the 2 nights	00	4	00
to father one shilling	00	1	00

---

Bought of John Dean of Taunton a cow:

a 3 pound	3	00	00
driveing and killing	00	5	00

---

fore quarter	74 pound
fore qr	73
hind qr	79
hind qr	78

---

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hide	54: <sup>10</sup>
head and tong:	2 s.
belly feet and hart	2 s.

---

Then follow five pages filled with deaths of persons, young and old, whether living in Braintree or elsewhere. Among those named is the Rev. Samuel Willard, whom the writer

refers to at length as "a person of excelent accomplishments. natural and acquired: an hard student, a powerful preacher of the word of God, an exemplary christian: a mirror of all that is good." Then follow the Rev. James Allen, Sept. 22, 1710; Mrs. Mary Baxter, wife of the Rev. Mr. Joseph Baxter, "after a long and sore sickness," March 29, 1711; and "Mrs. Helen French, the mother of Willyam Veessie: and daughter of the Rev<sup>d</sup> Mr William Thompson, deceased, dyed April 23: aged 85 years 1711: an aged saint."

Dr. EVERETT called the attention of the Society to the notes on pp. 162, 163, of Mr. Peter Orlando Hutchinson's edition of Governor Hutchinson's Diary. They contain extracts from a correspondence with members of the Society, relative to the printing of a portion of the Diary obtained by the late Treasurer from the Hon. George Bancroft, and ultimately from Mr. Everett, the late United States Minister to England. Mr. Peter Orlando Hutchinson intimates that legitimate access to the Diary could not have been had, and calls upon Mr. Everett, Mr. Rives, and Mr. Bancroft to explain their action. Dr. Everett commented somewhat on the ignorance of the lives and character of public men in America displayed in such a charge of surreptitious use of Governor Hutchinson's Diary, and read extracts from Mr. Edward Everett's journal and correspondence which show that the Diary was placed in his hands by the Rev. John Hutchinson, whom he met on a visit to Trentham, the seat of the late Duke of Sutherland. The extracts are as follows:—

[From Mr. Everett's Diary.]

Saturday, 7th Jan., 1843. At dinner we had Rev. Mr. Hutchinson, grandson of the Governor. He has a journal of his grandfather's, kept from the time he landed here on his return from America till his death; also a journal by Judge Oliver. The Judge says that Franklin in his youth was called a "printer's devil," but he rather thinks it should be the "devil's printer." Mr. Hutchinson promises to lend me the Governor's journal.

Sunday, 8th Jan., 1843. Mr. John Hutchinson sent me this morning the promised portion of his grandfather's Journal. It contains some very curious anecdotes. He gives unequivocally to Samuel Adams the credit of being the first to suggest the idea of Independence, and this in a conference with George III., the day after his arrival in London.

[From Mr. Everett's Letter-Book, copied by himself.]

*To Mrs. Everett.*

TRENTHAM, 8th Jan., 1843.

MY DEAR WIFE, — . . . Who should we have at dinner but Rev. Mr. Hutchinson, curate of this parish, grandson of my celebrated predecessor, Gov. Hutchinson, of Massachusetts, the last civil governor of our beloved native State before the Revolution? He has sent me to-day to read a part of his grandfather's private journal, which has never seen the light. This interests me very much. Unluckily there are but twenty-four hours in the day. I shall try to get leave to take it up to town with me.

*To Rev. John Hutchinson.*

Rev. John Hutchinson, Blurton Parsonage, near Trentham, thanking him for lending me the journal of his grandfather, Governor Hutchinson.

[Copies of letters in Mr. Everett's possession, endorsed with the names of the writers.]

*John Hutchinson, Jan. 7, 1843.*

BLURTON PARSONAGE, Saturday Night.

DEAR SIR, — I have much pleasure in submitting to your patience twenty-two pages of manuscript — if you should be pleased to consider it any gratification to read them. I have ever felt that at all times — even in those of deadliest antipathy to the principles of my family — the Massachusetts have been inclined to do great justice to the character and feelings (the latter to the last dedicate, in spite of execrable treatment, to his native soil) of my ancestor; and therefore am proud to forward for your perusal the enclosed, and have the honor to be, dear sir,

Yours very faithfully,

JOHN HUTCHINSON.

*John Hutchinson, Jan. 12, 1843.*

DEAR SIR, — I am favored with your communication from Althorp, and, to prevent all risk to the manuscript, would suggest that my cousin and brother-in-law, the Rev. W. Hutchinson, of Rotherhithe, should wait upon you for it, on your return to town. It can then come to me in the course of frequent communication from London.

I have the honor to remain, dear sir,

Yours very faithfully,

JOHN HUTCHINSON.

TRENTHAM, Jan. 12.

[Extract from a letter of the Hon. George Bancroft.]

Boston, March 1, 1843.

MY DEAR SIR, — The extract from Hutchinson's Diary was of the highest interest; it gives a peep into the thoughts of George III. himself; and for that reason I shall so value the correspondence with Lord North!

Faithfully, your obliged

GEORGE BANCROFT.

Mr. Everett was at this time gathering materials for Mr. Bancroft's discreet use from all quarters; they were most freely accorded by their owners, and were usually copied by Mr. Francis R. Rives, Secretary of Legation, and attested by Mr. Everett.

Dr. Everett stated that nothing appeared as to the use Mr. Bancroft was at liberty to make of the Diary; but it had been cordially placed in Mr. Everett's hands by Mr. Hutchinson, — a thing which Mr. P. O. Hutchinson had apparently looked upon as impossible.

Mr. DEANE then said: —

I have recently had some correspondence with Mr. Bancroft on this very subject, he having read the notes referred to in Mr. Peter Orlando Hutchinson's new volume. It is sufficiently evident now, from the papers which have been laid before the Society, that the transcript of Governor Hutchinson's "Conversation" with the king, the origin of which has been hitherto unexplained, was made by Mr. Rives for Mr. Bancroft in 1843, when the first volume of the Diary containing it was lent to Mr. Everett by the Rev. John Hutchinson, the grandson of the Governor. Mr. Peter O. Hutchinson belongs to a later generation, and neither he nor the members of his family contemporary with him — his cousins — had any knowledge of this fact; and he has too hastily concluded that the Diary had been obtained by improper means.

Our earliest knowledge of the existence in manuscript of the account of this celebrated conversation is the mention of it in the preface, by the Rev. John Hutchinson, to the third volume of the Governor's History, published in 1828. He there speaks of it as a part of the material of a biographical

volume preparing for publication by another member of the family, — the more direct inheritor of the Governor's manuscripts. This promised volume failed to appear, and only now, after fifty-six years have past, has the engagement been partially fulfilled by another hand, and the first instalment of the Diary and Letters of the Governor given to the world.

In the mean time some curiosity was felt as to what took place at the alleged interview between the king and Governor Hutchinson, who was so summarily ushered into the royal presence on his arrival in England; and it was most natural that writers on the history of the Revolution should seek to penetrate its secrets. Mr. Bancroft's success in procuring unpublished material in England for his fascinating volumes is well known, and he appears to have been equally successful here. The earliest evidence I have met with that he had procured access to Governor Hutchinson's Diary was given in the seventh volume of his *History of the United States*, published in 1858, though no intimation is there afforded as to the source whence the facts narrated were obtained.<sup>1</sup> A few years later (in 1865) Mr. Frothingham published his *Life of Warren*; and here we have the full particulars of the interview with the king, and large extracts from the "Conversation," covering some three pages of the volume, and credit given to Mr. Bancroft for the use of the extracts from the *Journal of Governor Hutchinson*.<sup>2</sup>

Six years later, at a social meeting of this Society, held at the house of Mr. Mason on the evening of March 23, 1871, Mr. Frothingham produced a full copy of the "Conversation," made by him from an earlier transcript in possession of Mr. Bancroft, and read it to the meeting, saying that he had been enjoined against the printing of it. And at a stated meeting of the Society in October, 1877, the manuscript was communicated for publication, and it was printed in the *Proceedings* under that date.

After this document had been put in type by the printer, a galley-proof of it was sent over to Mr. Peter O. Hutchinson,

<sup>1</sup> See Bancroft, vol. vii. pp. 71, 72.

<sup>2</sup> "I am indebted," says Mr. Frothingham, "to George Bancroft for the use of the 'Extracts from the Journal of Thomas Hutchinson, Governor of Massachusetts.' This manuscript has the following: 'Copied from the original by Mr. Rives. — Edward Everett, London, Feb. 1, 1843.'" — *Life of Warren*, pp. 328-331.

— who had just then rendered the Society great service by enabling it to supply the deficiencies in the Society's copy of Hubbard's History of New England, — with a request that he would compare it with the original manuscript in his keeping, and correct any error which he might find. This was declined by Mr. Hutchinson for the reason given in his letter to myself and to Dr. Oliver, referred to in the notes to his recently issued volume, of which mention has now been made.

Messrs. Hill and McKenzie were appointed on the Committee to publish the Proceedings, with the Recording Secretary, chairman of the Committee.

The business of the Annual Meeting was then taken up. The report of the Council was prepared and read by Mr. Haynes; that of the Librarian, the Cabinet-keeper, and the Treasurer followed, — the latter, including the statement of the Auditing Committee, being in print. These reports were accepted, and are here given.

*Report of the Council.*

The reports of the various officers of the Society to-day submitted show that the past year, although comparatively an uneventful one in its history, nevertheless exhibits no falling off in the elements of substantial growth and prosperity. We have been called upon to mourn the loss by death of three from our number: Mr. Williams Latham, of Bridgewater, a learned and painstaking antiquary; the Rev. William S. Bartlet, the faithful delineator of the life of toil and self-sacrifice of a frontier missionary; and our late Recording Secretary, Mr. George Dexter, whose memory will never cease to be cherished by us for his endearing personal qualities, and to whom the Society owes a great debt of gratitude for many years of faithful and laborious service. Our esteemed associate, the Rev. George W. Blagden, having removed his residence to the city of New York, has been transferred from the roll of Resident to that of Corresponding Members. Of our Honorary Members three have died during the past year: M. Laboulaye, the eminent publicist, foremost of our faithful friends in France in the hour of our great need; and the distinguished historians, M. Henri Martin and M. François A. M. Mignet. Two also of our Corresponding Members have passed away:



the Hon. Gustavus V. Fox, who had but just been transferred from our list of Resident Members; and Dr. Alfred Langdon-Elwyn, of Philadelphia.

At the last Annual Meeting two vacancies were reported as existing in our list of Resident Members. To fill these and to make good the losses sustained during the past year, the Society has elected to membership, General Francis A. Walker, President of the Institute of Technology; Professor Arthur L. Perry, of Williams College; the Hon. John E. Sanford, of Taunton, and Messrs. Uriel H. Crocker, Martin Brimmer, and Roger Wolcott, of Boston,—so that our number is again complete. General George W. Cullum, of New York, has been elected a Corresponding Member.

During the past year, under the supervision of the recently appointed Committee of Publication, consisting of the Recording Secretary and Messrs. Hill and McKenzie, the twentieth volume of the Proceedings of the Society has been published, which closes the First Series.

As a corporate body we have borne a part in the almost universal commemoration of the four hundredth anniversary of the birthday of Martin Luther, on which occasion we listened to a profoundly philosophical address, set off by every literary merit and grace of delivery, from our former associate the Rev. Frederic H. Hedge, the Nestor of American students of the literature of Germany.

Although we cannot claim the year that has passed as one unusually fruitful in literary production on the part of our own members, still their pens and tongues have by no means been idle. In both ways Mr. Charles Francis Adams, Jr., has done useful service. In his edition of Morton's "New English Canaan," prepared for the Prince Society, with its capital memoir of the hero of Merry-Mount and its masterly rehabilitation of the faded figure of Sir Christopher Gardiner, he has exhibited a pattern of skilful editing; while his "College Fetich" has ventilated the somewhat stagnant air of college halls with a fresh and invigorating blast. Mr. Henry Cabot Lodge has given to the world a biography of Daniel Webster, which has accomplished the almost impossible task of pleasing his friends and satisfying his critics. Dr. Green has published several learned chapters on the history of his native town, of which "Groton in the Indian Wars" is



perhaps the most important. Colonel T. W. Higginson has continued in "Harper's Magazine" his series of valuable articles on American history, which have contributed so much for the popular enlightenment as well as entertainment. Judge Chamberlain has delivered before the Webster Historical Society an address on "John Adams, the Statesman of the American Revolution," in which he has traced the secret springs of that great movement with a depth of philosophical insight superior to any previous treatment of the subject. The Rev. James Freeman Clarke has given to the world Part II. of his monumental study upon the "Ten Great Religions," and his "Ideas of the Apostle Paul," as well as preserved for posterity his recollections of "Anti-Slavery Days." Dr. Peabody has published a delightful translation of that perennially fresh and useful work, Cicero's treatise "On Duties," which has at last been put into a worthy English garb. Admiral Preble has published a most timely and useful "History of Steam Navigation," and has also contributed to the "United Service Magazine" a series of valuable papers upon "Ships and Shipping," which it is to be hoped may eventually be expanded into a volume. General Walker has done yeoman service to the cause of truth in economical science by the publication of his "Political Economy," in the series entitled "American Political Science," and by his "Land and Rent" has done much to stem the rising flood of socialistic dogmas. The Rev. Phillips Brooks has added to his welcome volumes the "Sermons Preached in English Churches." Messrs. Whitmore and Appleton, the Record Commissioners, have put forth another of their important publications, making their Ninth Report, comprising all the recorded early Births and Baptisms in this city; and, finally, Mr. Harris has preserved by the press the epitaphs to be found in the old burying-ground at Block Island, Rhode Island.

As we may claim some slight share in the literary productions of our Honorary and Corresponding Members, I shall be pardoned a brief allusion to some of their works which have appeared in the past year. The fifth and sixth volumes of what bids fair to be regarded as the standard history of the War of the Rebellion have been completed by the Comte de Paris; and Professor Seeley has published his "Expansion of England," a work well worthy of taking its place by the side of

"The Making of England," of our late Corresponding Member, John Richard Green. Our distinguished Honorary Member, Mr. George Bancroft, has given to the world several volumes of the final and standard revision of his great History.

While thus gratefully acknowledging the merit of the literary work that has been accomplished during the past year by our different members, the Executive Committee cannot help regretting that a larger proportion of all this skill and labor has not been bestowed upon our own publications. But when we call to mind the fact that no less than five different committees at the present moment have in hand volumes for the Series of our Collections, we feel warranted in indulging the hope that the year to come will witness a notable addition to them. We believe that nothing would so much conduce to the Society's welfare as to have more members like our late lamented Recording Secretary, who would be both able and willing to spend their time here in the midst of our wealth of books and manuscripts, laboring for its benefit.

We have had the pleasure during the past year of welcoming to our meetings and of listening to the voices of several of our Corresponding Members, — among them, Professor James Bryce, M.P., the learned historian of "The Holy Roman Empire"; and Dr. George H. Moore, the accomplished head of the noble Lenox Library at New York.

In concluding, the Executive Committee congratulate the Society on the possession of a membership full and vigorous, from whom valuable results in the future may well be expected, and on a financial condition both sound and improving.

HENRY W. HAYNES, *Chairman*.

*Report of the Librarian.*

During the year there have been added to the Library: —

Books . . . . .	660
Pamphlets . . . . .	2,495
Unbound volumes of newspapers . . . . .	10
Bound volumes of newspapers . . . . .	3
Broadsides . . . . .	23
Maps . . . . .	12
Volumes of manuscripts . . . . .	18
Manuscripts . . . . .	57
In all . . . . .	3,278

Of the books added, 544 have been given, 102 bought, and 14 obtained by exchange. Of the pamphlets added, 2,285 have been given, 188 bought, and 22 have been procured by exchange.

The Library now contains, it is estimated, about 29,000 volumes; including files of bound newspapers, bound manuscripts, and the Dowse collection. The number of pamphlets is about 64,000.

During the year several important gifts have been made to the Library, which deserve a special notice. Our associate member, Leverett Saltonstall, Esq., has presented a large number of early publications, which have been in the possession of his family for five or six generations. They comprise 11 volumes, and 148 pamphlets, some of them printed more than two hundred years ago, and most of them before 1700. Many of them belonged to his great-great-great-grandfather, Nathaniel Saltonstall, and others to his ancestor, Governor John Leverett. Scarcely any one of these publications proved to be a duplicate; and taken as a whole the collection forms one of the most interesting accessions ever made to the Library.

Mr. Amos A. Lawrence has continued his gifts of books relating to the Civil War, having added 23 volumes and 41 pamphlets on this subject.

Miss Eliza S. Quincy, the daughter of President Quincy, bequeathed to the Society a very valuable collection of manuscripts, which was received at the February meeting from the hands of her nephew, Josiah P. Quincy, Esq., our associate member. An account of this bequest, prepared by Dr. George E. Ellis, appears in the Proceedings of that date.

Mr. Peter C. Brooks has made an important addition to the Library, having given 115 books and 5 pamphlets, some of which were much needed on our shelves.

The fund left by the late William Winthrop for binding books is now available for that purpose; and 108 volumes have been bound at the charge of this fund.

There have been bought, with the income of the Savage Fund, 79 books and 147 pamphlets.

During the year there have been taken out 92 volumes and 25 pamphlets, and all have been returned. It should be borne in mind, however, that the Library is used more for reference

than for circulation; otherwise the statement of this fact might give a wrong impression of its use.

Respectfully submitted,

SAMUEL A. GREEN, *Librarian*.

Boston, April 10, 1884.

*Report of the Cabinet-keeper.*

Since the last Annual Meeting there have been seventy-five donations to the Cabinet, these comprising two miniature portraits, fifty-four engravings, eight photographs, three heliotypes, and several articles of a miscellaneous character.

During the summer, the portraits in the gallery were rearranged, and several of them that needed repair were placed in the hands of Mr. Sinclair; including that of Dr. Clark, the Rev. John Rogers, the Rev. John Bailey, the Rev. Joshua Gee, Mrs. Gee, Mrs. Mary Smibert, and one whose history is unknown.

It was hoped that another portion of the Catalogue of the Cabinet would be forthcoming at this meeting; but, owing to some unlooked-for delay, this was found impracticable. It is believed, however, that the entire Catalogue will be completed during the coming year.

Respectfully submitted,

F. E. OLIVER, *Cabinet-keeper*.

*Report of the Treasurer.*

In compliance with the requirements of the By-laws, Chapter VII., Article 1, the Treasurer respectfully submits his Annual Report, made up to March 31, 1884.

The special funds held by the Treasurer are nine in number, and are as follows:—

I. THE APPLETON FUND, which was created Nov. 18, 1854, by the gift to the Society, from the executors of the will of the late Samuel Appleton, of stocks of the appraised value of ten thousand dollars. These stocks were subsequently sold for \$12,203, at which sum the fund now stands. Interest, at the rate of six per cent per annum, is computed on that amount, and is chargeable on the real estate. The income is applicable to "the procuring, preserving, preparation, and publication of historical papers." The unexpended balance of income now

on hand, and the income for the ensuing year will be available toward the publication of the Pickering Papers.

II. THE MASSACHUSETTS HISTORICAL TRUST-FUND, which now stands, with the accumulated income, at \$10,000. This fund originated in a gift of two thousand dollars from the late Hon. David Sears, presented Oct. 15, 1855, and accepted by the Society, Nov. 8, 1855. On Dec. 26, 1866, it was increased by a gift of five hundred dollars from Mr. Sears, and another of the same amount from our late associate, Mr. Nathaniel Thayer. The income must be appropriated in accordance with the directions in Mr. Sears's declaration of trust in the printed Proceedings for November, 1855. Interest, at the rate of six per cent per annum, is chargeable on the real estate of the Society. The income for the last year has been appropriated toward the publication of the Trumbull Papers.

III. THE DOWSE FUND, which was given to the Society by the executors of the will of the late Thomas Dowse, April 9, 1857, for the "safe keeping" of the Dowse Library. It amounts to \$10,000, and is a charge on the real estate.

IV. THE PEABODY FUND, which was presented by the late George Peabody, in a letter dated Jan. 1, 1867, and now amounts to \$22,123. It is invested in the seven per cent bonds of the Boston and Albany Railroad Co., and a deposit in the Suffolk Savings Bank; and the income is only available for the publication and illustration of the Society's Proceedings and Memoirs, and for the preservation of the Society's Historical Portraits.

V. THE SAVAGE FUND, which was a bequest from the late Hon. James Savage, received in June, 1873, and now stands on the books at the sum of \$5,295. It is invested in the bonds of the Philadelphia, Wilmington, and Baltimore Railroad Co., and in the stock of the Boston Gas-Light Co. The income is to be used for the increase of the Society's Library.

VI. THE ERASTUS B. BIGELOW FUND, which was given in February, 1881, by Mrs. Helen Bigelow Merriman, in recognition of her father's interest in the work of the Society. The original sum was one thousand dollars; but the interest up to this date having been added to the principal, it now stands at \$1,200.56. There is no restriction as to the use to be made of this fund.

VII. THE WILLIAM WINTHROP FUND, which amounts to

the sum of three thousand dollars, and was received Oct. 13, 1882, under the will of the late William Winthrop, for many years a Corresponding Member of the Society. The income is to be applied "to the binding for better preservation of the valuable manuscripts and books appertaining to the Society."

VIII. THE RICHARD FROTHINGHAM FUND, which represents a gift to the Society, on the 23d of March, 1883, from the widow of our late Treasurer, of a certificate of twenty shares in the Union Stock Yard and Transit Co., of Chicago, and of the stereotype plates of Mr. Frothingham's "Siege of Boston," "Life of Joseph Warren," and "Rise of the Republic." The fund stands on the Treasurer's books at \$3,000. There are no restrictions on the uses to which the income may be applied.

IX. THE GENERAL FUND, which now amounts to \$3,550, and represents a legacy of two thousand dollars from the late Henry Harris, received in July, 1867, a legacy of one thousand dollars from the late George Bemis, received in March, 1879, three commutation fees of one hundred and fifty dollars each, and a gift of one hundred dollars from our late distinguished associate, Ralph Waldo Emerson. It is invested in a bond of the Quincy and Palmyra Railroad Co., for one thousand dollars, and a bond of the Hannibal and St. Joseph Railroad Co., also for one thousand dollars. Fifteen hundred and fifty dollars have been paid from it toward the reduction of the mortgage debt; and this sum is an incumbrance on the real estate of the Society.

The following abstracts and the trial balance show the present condition of the several accounts:—

#### CASH ACCOUNT.

1883.		DEBITS.	
March 31.	To balance on hand . . . . .		\$1,589.44
1884.			
March 31.	To receipts as follows:—		
	General Account . . . . .	11,077.46	
	Income of Peabody Fund . . . . .	1,470.00	
	Income of Savage Fund . . . . .	350.00	
	Income of Richard Frothingham Fund . . . . .	150.00	
			<u>\$14,636.90</u>
March 31	To balance brought down . . . . .		\$903.10



1884.

## CREDITS.

March 31.	By payments as follows:—	
	Reduction of mortgage debt . . . . .	\$7,000.00
	Income of Peabody Fund . . . . .	1,434.31
	Income of Savage Fund . . . . .	290.85
	Income of William Winthrop Fund . . . . .	148.60
	Income of Mass. Hist. Trust-Fund . . . . .	91.87
	General Account . . . . .	4,765.67
	By balance on hand . . . . .	906.10
		<u>\$14,686.90</u>

## GENERAL ACCOUNT.

1884.

## DEBITS.

March 31.	To sundry payments:—	
	J. A. Henshaw, salary . . . . .	\$600.00
	J. H. Tuttle, salary . . . . .	1,149.99
	Interest on mortgage . . . . .	1,350.00
	Insurance . . . . .	187.50
	Copying Sewall's Letter Book . . . . .	121.87
	Printing, stationery, and postage . . . . .	402.96
	Fuel and light . . . . .	242.11
	Care of fire, etc. . . . .	365.41
	Miscellaneous expenses and repairs . . . . .	345.83
	Income of Appleton Fund . . . . .	732.18
	Income of Massachusetts Historical Trust-Fund . . . . .	600.00
	Income of Dowse Fund . . . . .	600.00
	Income of E. B. Bigelow Fund . . . . .	67.95
	Income of William Winthrop Fund . . . . .	264.00
	Sinking Fund . . . . .	2,000.00
	Building account . . . . .	3,570.91
	To balance to new account . . . . .	4,751.10
		<u>\$17,351.81</u>

1883.

## CREDITS.

March 31.	By balance on hand . . . . .	\$5,674.35
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1884.

March 31.	By sundry receipts:—	
	Rent of Building . . . . .	9,000.00
	Income of General Fund . . . . .	160.00
	Interest . . . . .	116.08
	Income of Dowse Fund . . . . .	600.00
	Admission Fees . . . . .	100.00
	Assessments . . . . .	870.00
	Sales of publications, etc. . . . .	881.38
		<u>\$17,351.81</u>

March 31.	By balance brought down . . . . .	\$4,751.10
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*Income of Appleton Fund.*

## CREDITS.

1883.		
March 31.	By balance brought forward . . . . .	\$272.64
1884.		
March 31.	By one year's interest on \$12,203 principal . . . . .	732.18
		<u>\$1,004.82</u>
1884.		
March 31.	By amount brought down . . . . .	\$1,004.82

*Income of William Winthrop Fund.*

## DEBITS.

1884.		
March 31.	To amount paid for binding . . . . .	\$148.60
	" balance carried forward . . . . .	115.40
		<u>\$264.00</u>

## CREDITS.

1884.		
March 31.	By interest on \$3,000 principal . . . . .	\$264.00
March 31.	By balance brought down . . . . .	\$115.40

*Income of Massachusetts Historical Trust-Fund.*

## DEBITS.

1884.		
March 31.	To amount paid on account of Trumbull Papers . . . . .	\$91.87
	" balance carried forward . . . . .	666.00
		<u>\$757.87</u>

## CREDITS.

1883.		
March 31.	By amount brought forward . . . . .	\$157.87
Sept. 1.	" one year's interest on \$10,000 principal . . . . .	600.00
		<u>\$757.87</u>
1884.		
March 31.	By balance brought down . . . . .	\$666.00

*Income of Douce Fund.*

## DEBITS.

1884.		
March 31.	To amount placed to credit of General Account . . . . .	\$600.00

## CREDITS.

1884.		
March 31.	By one year's interest on \$10,000 principal . . . . .	\$600.00

*Income of Peabody Fund.*

## DEBITS.

1883.		
March 31.	To balance brought forward . . . . .	\$28.15
1884.		
March 31.	To amount paid for printing, binding, preservation of historical portraits, etc. . . . .	1,434.81
	„ balance carried forward . . . . .	7.54
		<u>\$1,470.00</u>

## CREDITS.

1884.		
March 31.	By one year's interest on railroad bonds . . . . .	\$1,470.00
March 31.	By balance brought down . . . . .	\$7.54

*Income of Savage Fund.*

## DEBITS.

1883.		
March 31.	To balance brought forward . . . . .	\$48.97
1884.		
March 31.	To amount paid for books . . . . .	290.35
	„ balance carried forward . . . . .	10.68
		<u>\$350.00</u>

## CREDITS.

1884.		
March 31.	By dividends on gas stock . . . . .	\$50.00
	„ interest on railroad bonds . . . . .	300.00
		<u>\$350.00</u>
March 31.	By balance brought down . . . . .	\$10.68

*Sinking Fund.*

## DEBITS.

1884.		
Jan. 17.	To amount applied to reduction of mortgage . . . . .	\$2,000.00

## CREDITS.

1883.		
Oct. 1.	By amount transferred from the General Account . . . . .	\$2,000.00

## TRIAL BALANCE.

## DEBITS.

Cash . . . . .	\$906.10
Real Estate . . . . .	103,280.19
Investments . . . . .	50,968.00
	<u>\$155,154.29</u>

## CREDITS.

Notes Payable . . . . .	\$18,000.00
Building Account . . . . .	60,077.19
Appleton Fund . . . . .	12,203.00
Dowse Fund . . . . .	10,000.00
Massachusetts Historical Trust-Fund . . . . .	10,000.00
Peabody Fund . . . . .	22,123.00
Savage Fund . . . . .	5,295.00
Erastus B. Bigelow Fund . . . . .	1,200.56
William Winthrop Fund . . . . .	3,000.00
Richard Frothingham Fund . . . . .	3,000.00
General Fund . . . . .	3,550.00
Income of Massachusetts Historical Trust-Fund . . . . .	666.00
Income of Appleton Fund . . . . .	1,004.82
Income of Savage Fund . . . . .	10.08
Income of Peabody Fund . . . . .	7.64
Income of William Winthrop Fund . . . . .	115.40
Income of Richard Frothingham Fund . . . . .	150.00
General Account . . . . .	4,751.10
	<u>\$155,154.29</u>

The real estate is subject to the following incumbrances, — the balance of the mortgage note (\$18,000), the principal of the Appleton Fund (\$12,203), of the Massachusetts Historical Trust-Fund (\$10,000), of the Dowse Fund (\$10,000), of the Erastus B. Bigelow Fund (\$1,200.56), and of the William Winthrop Fund (\$3,000) and a part of the principal of the General Fund (\$1,550), making in the aggregate, \$55,953.56, against \$62,885.61 last year.

CHARLES C. SMITH,  
*Treasurer.*

Boston, March 31, 1884.

*Report of the Auditing Committee.*

The undersigned, one of a Committee appointed to examine the accounts of the Treasurer of the Massachusetts Historical Society, as made up to March 31, 1884, has attended to the duty, and reports that he finds them correctly kept and properly vouched; that the securities held by the Treasurer for the several funds correspond with the statement in his Annual Report; that the balance of cash on hand is satisfactorily accounted for; and that the Trial Balance is accurately taken from the Ledger.

ABBOTT LAWRENCE, *Committee.*

Boston, April 7, 1884.

On motion of Dr. Paige, the thanks of the Society were voted to the retiring members of the Council, and to the Publishing Committee of the past year.

Messrs. Chamberlain, Hill, A. B. Ellis, and Bugbee were appointed as a new Committee on the Sewall Correspondence.

The election of officers for the ensuing year then took place; and the following, who had been reported by the Nominating Committee, were by ballot unanimously chosen:—

*President.*

HON. ROBERT C. WINTHROP, LL.D. . . . . BOSTON.

*Vice-Presidents.*

REV. GEORGE E. ELLIS, D.D., LL.D. . . . . BOSTON.

CHARLES DEANE, LL.D. . . . . CAMBRIDGE.

*Recording Secretary.*

REV. EDWARD J. YOUNG, A.M. . . . . CAMBRIDGE.

*Corresponding Secretary.*

JUSTIN WINSOR, A.B. . . . . CAMBRIDGE.

*Treasurer.*

CHARLES C. SMITH, Esq. . . . . BOSTON.

*Librarian.*

HON. SAMUEL A. GREEN, M.D. . . . . BOSTON.

*Cabinet-keeper.*

FITCH EDWARD OLIVER, M.D. . . . . BOSTON.

*Executive Committee of the Council.*

CHARLES F. ADAMS, JR., A.B. . . . . QUINCY.

CLEMENT HUGH HILL, A.M. . . . . BOSTON.

WILLIAM W. GREENOUGH, A.B. . . . . BOSTON.

HON. SAMUEL C. COBB . . . . . BOSTON.

ABBOTT LAWRENCE, A.M. . . . . BOSTON.

A new volume of the Proceedings, being the twentieth, was laid on the table for members at this meeting.

## MAY MEETING, 1884.

The regular meeting was held at the rooms on Thursday, the 8th instant, and, in the absence of the President, Dr. GEORGE E. ELLIS took the chair.

The Recording Secretary read his account of the preceding meeting.

The Corresponding Secretary announced that he had received a letter from Mr. Roger Wolcott, accepting his election as a Resident Member.

The Librarian reported the donations to the Library.

Mr. AMOS A. LAWRENCE offered for the Cabinet a miniature portrait of John Brown, and a likeness of Charles Robinson, together with a file of Kansas newspapers for the Library, and made substantially the following remarks: —

These daguerreotypes of two remarkable men are presented to the Society in the hope that they will be carefully kept, as there are no duplicates. They were taken in the height of the excitement about Kansas, in 1856, and in what was thought to be the final struggle for political supremacy between the free and the slave States. Charles Robinson, acting Governor by the free choice of the *bona-fide* settlers, still lives upon the land which he passed over many years before the settlement of Kansas, when on his way overland to California acting as surgeon to a large emigrant party.

When Eli Thayer obtained the charter of the New England Emigrant Aid Society, and began to preach up the Kansas crusade, the organization was completed here in Boston; and Dr. Robinson, of Fitchburg, was chosen to be the territorial agent, Charles H. Branscomb took charge of the emigrant parties, and S. C. Pomeroy was financial agent in Kansas.

The enthusiasm increased; parties were formed all over the Northern States. The Emigrant Aid Company undertook to give character and direction to the whole. This society was to be loyal to the Government under all circumstances; it was to support the party of law and order, and it was to make Kansas a free State by *bona-fide* settlement, if at all. Charles

Robinson had the requisite qualities to direct this movement. He had had great experience in the troubles of settlement in California. He was cool, judicious, entirely devoid of fear, and in every respect worthy of the confidence reposed in him by the settlers and by the society. He was obliged to submit to great hardship and injustice, chiefly through the imbecility of the United States Government agents. He was imprisoned, his house was burnt, and his life was often threatened. Yet he never bore arms, nor omitted to do whatever he considered to be his duty. He sternly held the people to their loyalty to the Government against the arguments and the example of the "higher law" men, who were always armed, who were not real settlers, and who were bent on bringing about a Border war, which they hoped would extend to the older States. This policy of the New England Society, carried out by Robinson and those in Kansas who acted with him, was finally successful and triumphant. David Atchison and his hordes retired from the scene; the few negro slaves who had been carried into the Territory disappeared, and now (1884) the State contains one million one hundred thousand inhabitants, without paupers and without beggars. A whole generation is coming up who do not know the taste of ardent spirits. This has always been a favorite theory and practice of Robinson; and now they have gone beyond him, and have inserted prohibition in the State Constitution, and elected their State officers on that issue.

But what shall we say of John Brown, who was another representative man? His course was the opposite of Robinson's. He was always armed; he was always disloyal to the United States Government and to all government, except to what he called the "higher law." He was always ready to shed blood, and he always did shed it without remorse; for without blood, as he often said, "there can be no remission." That he was sincere there can be no doubt; for he made his numerous sons his companions, and endeavored to imbue them with his own ideas; at least four of them were killed with arms in their hands.

In the night of May 23, 1856, Mr. Doyle and his two sons were taken from their beds at Pottawatamie, and caused to walk one hundred yards from their house, when the father was shot dead by Brown, while the sons were stabbed and

hacked to death with straight navy swords in the hands of his sons.

Mr. Wilkinson, who was taking care of a sick wife, was obliged to leave her and go with the midnight party, who brutally murdered him, not so far from his wife but that she heard the struggle and the final shot.

William Sherman was another victim of these midnight assassins, who were not then known, but who are now known perfectly. The evidence is complete. Professor Spring, of the State University of Kansas, is preparing a work upon the early history of that State, which will contain the truth, with all the proofs, so that hereafter there can be no such statements made as have deceived nearly a whole generation.

It fell to me to give John Brown his first letter to Kansas, introducing him to Governor Robinson, and authorizing him to employ him and draw on me for his compensation if he could make him useful in the work of the Emigrant Aid Society. But very soon Governor Robinson wrote that he could not employ him, as he was unreliable, and "would as soon shoot a United States officer as a Border ruffian."

When he was a prisoner at Harper's Ferry, I wrote to Governor Wise, advising his release on the ground that he was a monomaniac, and that his execution would make him a martyr. The answer to this letter was very creditable to Governor Wise. Afterwards, when in Washington about the Kansas troubles, I spoke of it to Mr. Pierce, the ex-President, who was there at the time, and he asked to see it. So I ordered it sent to him; but it was never returned.

John Brown had no enemies in New England, but many friends and admirers. He was constantly receiving money from them. They little knew what use he was making of it, for he deceived everybody. If he had succeeded in his design at Harper's Ferry of exciting a servile insurrection, the country would have stood aghast with horror; his would have been anything but a martyr's crown.

Dr. ELLIS exhibited a photograph of the model of the statue of John Harvard, which is about to be cast in bronze and set up in Cambridge. It represents him as a young man, wearing an academic gown and seated in a chair, with his hand extended upon an open book, and with a thoughtful, meditative



expression upon his countenance. Dr. ELLIS then spoke as follows:—

It is a satisfaction to know that some university men in our mother country are sharing the interest which has long been felt by so many of us here to trace the English antecedents of the honored man, the scholar and divine whose name is borne by Harvard College. Especially is this sympathetic interest with us felt at Emmanuel College, Cambridge, John Harvard's Alma Mater. In connection with the tercentenary of the foundation of that college, which is to have observance in the next month, there may well be a quickened attention given to the subject. Informed as the members of that academic body are of the present full and fair development and the signal prosperity of our own college, it must be most grateful for them to realize that its munificent founder, in the days of our wilderness straits and poverty, was one of their own alumni. Most quietly and unobserved did he slip away from his English home, and after less than two years of an invalid life in this land of his exile, leave so fruitful and fragrant a memorial of himself here. His birthplace, parentage, date of embarkation and arrival, are still unknown to us.

Within a few days I have received a letter from Cambridge, England, April 15, from the Rev. Alfred Rose, M. A., who is dean, fellow, and bursar of Emmanuel College, and who prefers to designate himself by the last of those titles. Accompanying his letter he sends me the April number of the "Genealogist," an English quarterly magazine. In this is an article entitled "Harvard University, United States, and the Harvards of Southwark," by W. Rendle, F. R. C. S. It opens as follows:—

"I wish we could be more absolutely sure of the identity of the more or less unconscious founder of the great Harvard University. But whether so or no, he certainly deserves more notice than he has had, as out of his comparatively humble bequest has come this—one of the noblest features of the United States of America."

Dr. Rendle then presents, chiefly from our own authorities, such scant information as we have of Harvard, in connection with the founding of our college, estimating the present pecuniary value of his bequest at five thousand pounds sterling. Referring to the occasion of the first emigration of the Pilgrims

to Plymouth, "to escape the harassing treatment dealt out to Puritanical people," and regarding Harvard as in sympathy with them, he proceeds as follows:—

"Growing out of this condition of things, I have a very interesting story to tell; and although it may in some particulars lack exact demonstration, the facts are as I give them, and the probability that they fill up the narrative, or nearly so, is clear to me. Very much of this persecuting trouble occurred in the borough of Southwark, and here, I have no doubt, John Harvard was born; here, also, as far as can be made out, his friends and connections were, and on the objectionable side. I note in the warden's papers, vestry registers, and other books of St. Saviour's, many Harvards, Harverds, and Harvyes, appearing, with little interruption, for many years, and implying the same persons. The names taken from these sources follow. In some manuscripts and illustrative volumes relating to St. Saviour's—left to the British Museum by the late chaplain, Samuel Benson—he states that he cannot find the name of John Harvard, the founder; but that he had no doubt he was born of this family of Harvard of St. Saviour's about 1610, probably a short time before. After careful, I will not say exhaustive, examination of the original books and papers, I am quite of the same opinion."

Dr. Rendle then gives a list of several entries in the documents referred to, of Harvards, Harverds, and Harvyes, of St. Saviour's, Southwark, all of the same family connection, between the dates of 1582 and 1625. Though some of these are entered as butchers, Dr. Rendle observes, "they all appear to be people of means and position,"—vestrymen, church wardens, one a governor of Queen Elizabeth's Grammar School, and some assessed to the provost-marshal tax among the chief people. No John Harvard is on the list. Puritan people gathered much from about 1600 in private and obscure houses in this borough, and from it went forth many to New England. Among these, possibly, was John Harvard.

The Rev. Bursar Rose, in his letter to me, commenting on Dr. Rendle's article, sent to him with the caution, "I pray you, do not expect too much; it is partly tentative, and to elicit more," adds the following very important information, which is new to us:—

"There is a material point in our abstract of college entries of which, I believe, Dr. Rendle was not aware. It is that there appear to be really two entries referring to John Harvard. First—'1627: 10br, 19.

Harvard, Jno. P. [Pensioner], Middx., A. M. 1635.' Second — '1628, Apr. 17. Harvard, Jno. P. A. M., 1635.' It would appear that the entry is thus repeated, perhaps because there was some delay in Harvard's actually coming into residence. The first to be observed is the Middx., i. e. Middlesex, which assigns that as Harvard's county. The entry of the county is very frequent, though not by any means universal at that time in our register. I believe Dr. Rendle is not aware of this point of *Middlesex*. It may be that John Harvard's father had left the Southwark colony of Harvards, and crossed the river and settled in Middlesex,—the part of London, as you know, north of the Thames. If this was the case, I fear the Great Fire of London must have swept away the parish registers which might contain the records of births, etc., we should so much like to find."

So far only has research reached. Zealous inquirers will pursue it, and we wait hopefully the results.

Mr. QUINCY then said:—

I have brought with me an old deed which I recently discovered among some papers in my attic, and which I will present to the Society as having a certain interest from its autographs. It is the conveyance of Mrs. Ann Hibbins, who was executed for witchcraft June 19, 1656. The genius of Hawthorne, as well as her own tragical fate, must always preserve this lady's name from oblivion. By this instrument she conveys to Matthew Coy her "dwelling house near unto the spring, and next the house where I now dwell." One of the witnesses was the second John Cotton, who was then a boy. Pinned to the deed by one of the pins of the period, is a receipt by Mrs. Hibbins of part of the purchase-money; and after her death this was proved before her reputed brother, Governor Bellingham. The deed itself was proved before Governor Endicott, who a few weeks before, in open court, had sentenced the grantor to the gallows. Following the fine gubernatorial autograph of the magistrate, is that of the well-known Secretary Rawson, who attests the registration of the deed. The codicil to Mrs. Hibbins's will describes Edward Rawson as among her "loving friends," and intrusts her chests and desk to his care. He was undoubtedly one of the leading citizens who endeavored to save her life. The deed is signed by a mark, but, instead of the usual cross, it consists of

part of the name written with fair distinctness. Temporary infirmity may have prevented Mrs. Hibbins from freely using her hand. Her high social position, and the unusual capacity with which tradition credits her, render it certain that no lack of education occasioned the imperfect signature. The document adds nothing to our knowledge of the past; but the names of Bellingham, Endicott, and Rawson — men in different ways so nearly connected with this unfortunate lady — set the imagination to work to construct scenes which history has suppressed.

Mr. DEANE submitted several papers relating to the hostile expeditions of Samuel Argall to the northern part of Virginia in 1613, in which the several settlements at Mt. Desert, St. Croix, and Port Royal were broken up. After giving a brief narrative of this affair, and saying that it had been often regarded by historians as a lawless and wholly unauthorized proceeding, inasmuch as Argall himself was trespassing upon territory beyond the chartered limits of the southern colony of Virginia, Mr. Deane explained the purport of the papers he now communicated, which, by the courtesy of the Maine Historical Society, he had been permitted to use. By these it appeared that to the remonstrance of the French Government against the act of Argall, the Virginia Company had replied that Argall was authorized and commissioned, under the seal of the colony, to do what he had done; and the English Government justified the act.<sup>1</sup>

Argall left Virginia on the expedition which resulted in the attack on St. Savior, at Mt. Desert, not earlier than June.<sup>2</sup>

The first document read was a letter from H. de Montmorency, Admiral of France, to King James I., dated Oct. 28, 1613, N. S.:<sup>3</sup> —

<sup>1</sup> The question as to the justification of Argall in displacing the French at this time does not depend on our views as to the rights of rival colonists or of the English or the French Government to the territory which each claimed. That Argall was acting under a commission and instructions from the Virginia Company or Colony, and that their action and his were justified and assumed by the English Government, is sufficient to relieve him from the stigma which attaches to a pirate or a buccaneer. — C. D.

<sup>2</sup> Purchas, vol. iv. 1764-1765.

<sup>3</sup> See "Calendar of State Papers, Colonial Series, 1574-1660," p. 15. The original letter is in French, and this translation is supplied at the Public Record Office. — C. D.

SIRE, — I thought it was my duty to accompany the letters which the King my master wrote you with some of my own, in order to have the honor to offer to your Majesty my very humble service, and to entreat you to be favorable, (since, as Admiral under the authority of the King, I have the charge of the marine affairs of this Kingdom,) that I represent to you the just complaint and the injury which the French have received from some of your subjects, who, being in an English ship, called the Treasurer, where Samuel d'Argail is captain, went to that country of Canada, called New France, to the harbor of Pentagoet, where they found a small settlement, which was begun by permission of the King with our leave, and the expense of Madame La Marquis de Guercheville, lady of honor to the Queen, through a good and holy zeal to lead the poor Savages of the said country to a civil conversation, and to preach to them the doctrine of Jesus Christ, and for that purpose, a number of Jesuit fathers were there.

But your said subjects have ruined this plan; they have attacked the colony; they have slain many men, and among others, two of the said Jesuits; and besides, they carried away two others with them into Virginia, (by what people say); and have abandoned the rest of the people to the mercy of the waters, in a small skiff. We know well enough, Sire, the goodness, and the usual clemency with which you are filled, and that you are so far removed from such inhumanity that you will assuredly do justice in this matter, when you are informed of it. Therefore, in the name of France, and of the private parties interested in these countries, I beg your Majesty for three things; *one*, that you will command the two Jesuit fathers to be returned in safety with the other prisoners; the other, that restitution shall be made for so remarkable a robbery, which costs the said dame Marquise more than a hundred thousand livres of loss. And the third, that your council or the company of Virginia may be obliged to declare and explain as far as where she understands to be carried the boundaries and confines of the said country of Virginia, inasmuch as we thought the difficulty might have come on account of the neighborhood of the two colonies. But your Majesty knows that for more than eighty years the French have been in possession of it, and have given to it the name of New France. The hope that your Majesty will be <sup>1</sup> how prudently to remedy this, and find it good, if it please you, that Mons. de Buisseaux, Ambassador may be interested more particularly with it, to give us an answer to it as favorable as the complaint of it is reasonable, and full of justice. Nevertheless I pray God,

<sup>1</sup> The word or words here wanting might, if they could be supplied, help to bring this sentence into a little better shape. Probably the original letter which we have not, or the translation, at this place, is a little obscure. The meaning is obvious. — C. D.

Sire, That he may give your Majesty a very long and very happy life.

Your very humble Servant,

H. DE MONTMORENCY.

At FONTAINEBLEAU  
ce xxviii of October 1613

Indorsed

To the King of Great Britain

Cotemporary } "A letter from the Admiral of France to his Ma<sup>ty</sup> concerning  
indorsement } Samuel Argall."

"Concerning ye Depredations committed by ye English upon  
ye French at Canada, and y<sup>t</sup> it belongs to them."

This is written tempus Carolus II. by one of Secretary  
Sir Joseph Williamson's clerks.

The reply of the Virginia Company in defence of Argall  
then followed:<sup>1</sup>—

... To the substance of the first complaint: That it is true Captain Argall did take a French ship within the limits of our colony, who went about to plant contrary to the extent and privilege of his Majesty's

<sup>1</sup> I copy these extracts from the "Boston Daily Advertiser" of Aug. 31, 1870. The paper was procured in England by the late Dr. Leonard Woods, and was read in part at a meeting of the Maine Historical Society at Old York, Maine, August 22, by the late Mr. John A. Poor. It had only recently been discovered in the Cottonian collection in the British Museum, the original being partly consumed by fire; and in printing the portions read several omissions were indicated by blank spaces.

In reprinting the extracts I have modernized the spelling, and given the abbreviated words in full. A few obvious clerical errors or printer's errors are corrected by me, and a few words are conjecturally added in brackets. In the interesting communication made by Mr. Poor on this occasion, he made use of several other papers procured by Dr. Woods. These, with Mr. Poor's own remarks, are now in the Library of the Maine Historical Society, and have been kindly submitted to my inspection and use; but the Cottonian manuscript seems to have been detached from the other papers, and is wanting, and cannot now be found; and my only resource is now to use the print of the "Boston Daily Advertiser," or to procure a fresh copy from London. The existence of this paper is to be explained by supposing that the English Government, on receiving the remonstrance of the French Government, applied to the Council of the Virginia Company in England for an explanation, and this is the Company's defence, addressed to their own Government. It will be seen that no question here arises as to their right to expel intruders from the whole territory embraced in the Virginia patent through its whole extent, and such may have been the true interpretation of their rights and duties as given in section xii. of the charter of April 10, 1606. (See Smith, Appendix, p. 5.) The service here rendered was acknowledged by the Northern Company as having been performed by Sir Samuel Argall, who was despatched "with commission to displace them [the French], which he performed with much discretion, judgment, valor, and dexterity." — *Brief Relation*, in 2 Mass. Hist. Soc. Coll., vol. ix. pp. 1-25. — C. D.



letters patent to us granted. That he did it by the command of the governor of our colony by his commission to him given under the seal of the colony, and by virtue of such authority as is to him derived from his Majesty's great seal of England.

That whereas it is said, it was 200 leagues from our plantation, intimating thereby that it was out of our limits, we say the coast lying next E. N. E. and W. S. W. many more hundred leagues will not deliver them without our borders, we having granted unto us from 34 to 45 degrees of north latitude, and from E. to W. from one sea to another, with a certain clause that if any other nations should get land to the north of 45 degrees, and by any river or lake, or by land travel should come to the southwards, to plant behind our backs, that it should be lawful for our governor to resist, displant, and take by force any that should make such attempt.

And we do further avow that the said ship was taken between 43 and 44 degrees, which in express limitation is within his Majesty's grant and is annexed to his royal crown. And that this is proved by the several confessions of divers of the French examined by Sir Thomas Dale, and certified accordingly unto us by him. And that the said Captain Argall, besides his several commissions for his justification to us showed, hath farther produced unto [us] a testimonial or certificate under the seal of our colony, that he hath in these his voyages no way exceeded the commissions to him given . . . that upon the cross-examination . . . certified the said ship and other . . . lawful prize unto the said colony by . . . Letters Patents, and that therefore we suppose be wholly for the fact excusable . . . Concerning the aggravation of circumstances we . . . Argall has not above 60 men in his ship. That the first shot at him; and that all the victuals, munition, utensils for plantation besides the ship and her app . . . which was re-delivered at the request of the French A . . . was not to the value of £200 sterling, as we are [can?] prove by the several inventories delivered by the F[rench to] the Marshal of Virginia, and together with their [examinations] unto us certified.

Secondly, to the imputation of inhumanity used by him [to his] prisoners, we say it is wholly false. That neither Monsieur Taussey<sup>1</sup> nor any other were detained as prisoners, but that he went and returned from ship to shore at pleasure. That Captain Argall did propound to them three offers,—

1. First, to give them a small pinnace, with sufficient victuals [to] carry them all into France.
2. Secondly, to give them passage from thence to the bank, 120 leagues from Cape Brittain, there to meet . . . French shipping.

<sup>1</sup> Saussaye, the captain of the French ship captured by Argall. — C. D.



3. Thirdly, to give Monsieur Taussey, their captain, a shallop, and as [many] of his men as he would choose, with sufficient provision to their own wage, and to carry the residue . . . into Virginia . . . but condition was chosen by the captain, and accordingly performed. These offers are proved by the confession of Monsieur Taussey, his two Jesuits, the Master, and at least ten other of the company, which are ready to be shown, with many attestations of great humanity and . . . courtesy showed to them . . .

And that these our reasonable answers considered, the King of France is neither in his Homs' [honor?] nor title any way injured by the just defence of our own, and maintenance of those limits and extent of territory given unto us by his Majesty's Letters Patents many years before the French had any footing to the south of Canada.

Neither hath Madame de Guercheville any reason to expect reparation having entered without our leave, within our limits and dominion, by force to plant or trade, contrary to the good correspondence and league of these two most royal kings. And that if any particular be hereof doubted or replied unto, we will be ready to give testimony and further answer thereunto.

In addition to the claim presented by Admiral Montmorency for reparation for the injuries done by Argall, another protest and claim appear to have been presented by Sieur de Buisseaux, resident minister of the French King to the English Court. These appear by the reply to that official by the English minister, said to have been copied by Mr. Sainsbury from the British State papers, in the French language; but an English version only is found among the papers here submitted, perhaps not entire. This paper is of considerable length, but those portions only which relate to the subject now in hand are here presented. A copy of the letter will be filed in the archives of the Society. It is entitled, —

P. R. O.  
State Papers,  
France, 1614.

"Reply to the complaints presented to the King by the Sieur de Bisseaux, resident Ambassador to the King, from the most Christian King," etc.

. . . . .

*Reply to the Fourth Complaint concerning Virginia.*

Captain Argal claims that he has taken the French ship in question within the limits of our colony; because that, against the privileges granted to the said company for the letters patent of the King, it thought proper to establish itself there by force; and that what he has

done in relation to it, was by virtue of the commission decreed to him for that effect, under the seal of the said company, which authority is derived from the special power granted by his Majesty to the said colony under the great seal, and that nevertheless the said ship was restored at the entreaty of the Ambassador.

Notwithstanding which reply his Majesty wishing to make evident to the Ambassador the wish which he has to cause to be given to him every possible content and satisfaction has caused an order to be given that the said Captain Argal shall be represented to give account of his action every , and when the ambassador desires, and that Turner his lieutenant in like manner shall be represented as soon as he can be found.

*Reply to the Eighth Complaint, touching the Marchioness de Guercheville.*

As to Madame the Marchioness of Guercheville, she has no reason to complain; nor to hope for any reparation; seeing that her ship entered by force the territory of the said colony to settle there, and to trade without their permission, to the prejudice of our treaties and of the good understanding there is between our Kings.

Indorsed  
D[eliv]re[d] y<sup>e</sup> Fr[ench] Amb[assador] by]  
Mons Edmo[ndes]  
1614.

Answer to the French complain<sup>tes</sup> <sup>1</sup>

The subject was further discussed by Professor Torrey, Mr. George S. Hale, and Dr. Ellis.

Mr. GOODELL remarked that to any one familiar with the change in the form of government which Massachusetts underwent upon the substitution of the charter of 1691 for the charter of King Charles, it is not a little perplexing to find that the supposed anachronism in the popular line, —

"In good old colony times, when we lived under the king," —

<sup>1</sup> The parts in brackets are torn away. The above appears to be the endorsement upon the copy of this paper preserved in the English archives, in the French language. It says "delivered the French ambassador by Mons. Edmondes 1614." In a memorandum accompanying this paper, probably by Mr. Sainsbury, this official is styled "Sir Thomas Edmondes." He was the English minister to the court of France for many years, the period covering the date of this letter, 1614; yet he was temporarily in England for several months during the first half of this year. See Birch's "Court and Times of James I.," vol. i. pp. 296, 302, 323, 324. — C. D.

as applied to the provincial period, is justified by the language of the Revolutionary leaders in their legislation, and other formal public acts after July, 1775.

Besides other sufficient reasons for believing that this popular phrase was not used in reference to the period of the first charter, it may be observed, in passing, that, though under the colony charter we owed fealty to the crown, our dependence upon the sovereign was not then peculiarly close. Barring the administration of Dudley and Andros, we enjoyed almost complete autonomy before 1692, even during the time of the Commonwealth.

The question which the following essay is intended to answer is, What led to the use of the word "colony" instead of "province," during, and after the dissolution of, the Provincial Congress?

The interest, if not importance, of this subject may perhaps be a sufficient excuse for recalling some Revolutionary events quite familiar, but which it is necessary to bear clearly in mind as we proceed to consider the doings of the General Court upon its re-establishment in the summer of 1775.

On the 1st of September, 1774, Governor Gage issued writs for convening a new assembly at Salem, on the 5th of October, following. As early as the 6th of August he had received from the Earl of Dartmouth a copy of the act of parliament, "for the better regulating the Government of the Massachusetts Bay," together with other important papers, including instructions from the Privy Council for carrying the act into operation. This act expressly repealed the provisions of the charter respecting the choice of councillors, and vested in the crown the authority to appoint the members of that board; and, accordingly, a list of thirty-six councillors—who, from the manner of their appointment, came to be generally known as *mandamus councillors*—was among the papers transmitted to the Governor from the Secretary of State.

The publication of this act of parliament increased the resentment which the act for closing the port of Boston had provoked, and excited the indignation of the people to the highest pitch, insomuch that all but fourteen of the persons named by the king as councillors either voluntarily refused the trust or were forced to resign, and most of the remainder

were virtually prisoners at Boston, under the protection of the royal forces. By the charter the councillors elected in May were to continue in office one year; but, by the act of parliament, their offices were vacated on the 1st of August, and the Governor, in issuing writs for the election of deputies to a new general court, had expected the new councillors to act with the representatives. Deeming it impracticable, in view of the increasing tumults in the vicinity of Boston, to convene a quorum of the Council, at Salem, the Governor, a week before the time fixed for the meeting of the representatives, issued a proclamation excusing them from appearing at, or holding, a general court.

Notwithstanding this proclamation, ninety of the representatives elect assembled at the time and place appointed, and, after waiting in vain, the first day, for the Governor to appear, they organized, — choosing John Hancock chairman, and Benjamin Lincoln clerk. On the next day (October 7), they resolved themselves into a **PROVINCIAL CONGRESS**, and adjourned to meet at Concord, on the following Tuesday, where, on the 27th, they formally invited such members of the Council, chosen in May, as had not openly sided with the ministerial party to attend with them.

This first Provincial Congress, which was adjourned from Oct. 29 to Nov. 23, was dissolved Dec. 10, 1774, having previously passed a resolve recommending the several towns and districts to choose deputies to represent them in a second congress to be held at Cambridge on the 1st of February, following. The second congress, which had one adjournment, from Feb. 16 to March 22, was convened according to the above-mentioned recommendation; and the date of the last record of its doings is May 29, 1775, although the journal after May 21 is not preserved.

Two days after this last entry, a third congress was assembled at Watertown, upon a similar call. There were present 229 delegates in the second congress, and 245 in the third congress, which continued in session until the General Court was re-established.

In less than ten months from their first assembling, these congresses had assumed throughout the province, except within the town of Boston and the immediate vicinity actually occupied by the king's forces, full control of the three

great functions of government, — legislative, judicial, and executive. Although no formal acts were passed in either of these congresses, their doings, both legislative and executive, had been, in most instances, general in their operation, and were so important, and frequently permanent, in their effect, that it was deemed essential to have their validity established in the most solemn manner. Accordingly, the first act of the General Court, after its re-establishment, was an act to ratify all the doings of the three congresses.

This brings us to the consideration of the manner in which the resumption, by the General Court, of its functions under the charter was brought about, after they had been suspended for more than a year, by the operation of the act of parliament "for the better regulating the Government of the Province of Massachusetts Bay."

As the time approached for issuing writs under the charter for a new assembly, in 1775, the Provincial Congress, then in session, began to consider what course it should recommend to the people to pursue in relation to the convening of the General Court and the choice of representatives.

It is likely that, notwithstanding the change made in the charter by the act of parliament "for the better regulating the Government of the Province," etc., the leaders of the popular party were not without hope that the effect of that act might in some way be avoided, either by its repeal or from necessity, since it was evident that the few *mandamus* councillors who had not resigned would never actually sit as a council, outside of Boston; and a quorum of that branch was essential to the complete organization of the General Court.

Whether influenced by this expectation, or simply by the determination that there should be no appearance of a design, on their part, to evade a duty imposed by the charter, the Provincial Congress resolved, April 1, 1775, that if writs should be regularly issued for calling a general assembly to be held on the last Wednesday of May, the several towns ought to obey such precepts, and choose representatives, as usual, but advised that the representatives so chosen do no business with the council appointed by *mandamus*, and, if the house should be dissolved, then that the members re-assemble in a provincial congress. Another resolve was passed at the same time, recommending the towns to choose delegates to a new

provincial congress in case no writs for calling an assembly were issued.

The affair at Lexington on the 19th of April, however, changed the prevailing sentiment with regard to the duty of the people to respect the agents of the crown, and led them to take a further important step towards revolution. By the 20th of April, Gage had issued writs for convening a new assembly, to be held on the last Wednesday of May. As soon as a copy could be procured, a committee was appointed to consider the propriety of recommending to the several towns and districts to take no notice of these precepts. This was April 28; and on the 4th of May, "after a long and serious debate," a committee was appointed, by a vote of 94 out of 107 members, to bring in a resolve for reconsidering the resolve of the 1st of April. The next day, this committee reported two resolves,—one reconsidering and annulling the resolve of April 1, and the other declaring that no obedience whatever ought in the future to be given to General Gage, but that "he ought to be considered and guarded against as an unnatural and inveterate enemy to this country." The congress at the same time appointed a committee to prepare a resolve recommending the election of delegates "for a new provincial congress to be held on the last Wednesday of the present month."

The suggestions as to "resuming the first charter, absolute independency, etc.,"<sup>1</sup> which, according to John Adams, had startled the delegates at the Continental Congress in September, previous, were now earnestly renewed; but it was concluded not to adopt measures which might be looked upon by the other colonies as extreme and unwarranted, without the advice and consent of the Congress at Philadelphia. On the 12th of May, therefore, upon the report of a committee of the whole house, a committee was appointed "by a very large majority" to submit the draught of an application to the Continental Congress "for obtaining their recommendation for this colony to take up and exercise civil government as soon as may be, and that the committee be directed to ground the application on the necessity of the case." On the 15th the form of application reported by this committee was read,

<sup>1</sup> Letter to General Palmer, Sept. 26, 1774: John Adams's Works, vol. i. p. 154.



"paragraph by paragraph," and accepted, and a messenger was forthwith despatched to deliver it to the president of the Congress.

In answer to this application the Continental Congress adopted a resolve, June 9, 1775, to the effect that as no obedience was due to the act of parliament altering the charter of the province, "nor to a governor or a lieutenant-governor who will not observe the directions of, but endeavor to subvert, that charter, the governor and lieutenant-governor of that colony are to be considered as absent, and their offices vacant;" and recommending the Provincial Congress, "in order to conform, as near as may be, to the spirit and substance of the charter," to issue precepts for a general assembly which, "when chosen, do elect councillors; and that such assembly, or council, exercise the powers of government until a governor of his Majesty's appointment will consent to govern the *colony* according to its charter."

The third and last Provincial Congress was in session during the battle of Bunker's Hill, and, on the day after the battle, a committee was appointed who, on the 19th, reported the form of a precept for choosing deputies to represent the several towns at a general court, to be held, pursuant to the advice from Philadelphia, in the meeting-house at Watertown, on the 19th day of July, following. Precepts, issued in accordance with a prescribed form, were ordered to be sent to all towns and districts throughout the province.

Two hundred and five deputies assembled at the time and place appointed for the meeting of the General Court; and on the 21st of July they proceeded to the choice of twenty-eight councillors, fourteen of whom appear to have taken their seats at the board on the 26th, and seventeen on the 27th, of the same month. On the 28th, the House passed a preamble and resolve, to the effect that, the governor and lieutenant-governor having absented themselves, and refused to govern the province according to the charter, until they return to "their duty, or some governor shall be appointed to govern the province according to the charter," they will recognize the Council, or the major part of them, as governor, and will acquiesce in their doings as such.

The new government thus organized — the legislative records of the Council, commonly called the General Court Records,



beginning on the 26th of July—held sway, without any other executive head than the Council, until the adoption of the Constitution.

It is noticeable that in the correspondence between the Provincial Congress and the Congress at Philadelphia the designation of Massachusetts as a *province* was studiously avoided. This is explained by the fact, which could no longer be ignored, that those relations with the parent state which made the government of this people and territory distinctively provincial, had terminated. The authority of the immediate agents of the crown had been repudiated; all supervision of our affairs by the Privy Council had practically ceased, and even Parliament, by overstepping the limits which, it was claimed, were prescribed for it by common right and the British Constitution, had, in the opinion of the popular party, forfeited all claim to obedience, at least so long as the unconstitutional legislation remained unrepealed. Up to this time, however, the belief which was cherished by many patriots, that separation from the mother country was not inevitable, had been generally deferred to, even by those who considered it delusive; and hence the title "province" was replaced by that of "colony," to avoid the appearance of any intention to renounce all dependence upon Great Britain.

Another objection, also, to retaining the word "province" arose from that provision of the charter which required all laws to be published under the province seal. This instrument was in the custody of the royal Governor, and had been affixed by him to proclamations and other official papers issued since his authority had been repudiated by the representatives of the people. There could be but one genuine seal of the province, and therefore it became necessary, in order to comply as nearly as possible with all the requirements of the charter, to establish a new public seal in character distinct from the seal previously used. Accordingly, on the 28th of July, an order was adopted appointing "a committee to consider what is necessary to be done relative to a colony seal." This committee reported, on the 5th of August, "that the device of the old province seal be not taken up," but that a new device and motto submitted by them with the report, be adopted. The design proposed by this committee, with some changes, was agreed to, the same day, and on the 7th a joint committee was

appointed "to direct the making" of the seal. This new seal continued to be affixed to the engrossments of the acts until towards the close of the May session, 1776, which was prorogued on the 13th of July.

The former great seal of the province remained in the Council Chamber, at Boston, whence, together with all the other public seals, it was secretly purloined some time between the 9th of September and the 4th of October, 1775. The loss of these insignia was considered so serious by the Governor that he immediately communicated the fact to Secretary Dartmouth; but before they could be replaced, the progress of the Revolution had rendered them useless.

Early in the second session a question arose as to the proper wording of the introduction to be printed with the acts of the first session, and a committee was appointed to prepare a form for that purpose. To the draught reported to the council, by this committee, amendments, which included the substitution of "colony" for "province," were offered by the House, and, these amendments being concurred in, the resolve establishing this form was passed on the 30th of September, and this new heading, which is as follows: "Acts and Laws, Passed by the Great and General Court or Assembly of the Colony of the Massachusetts-Bay in New England," etc., continued to be used until the year 1778.

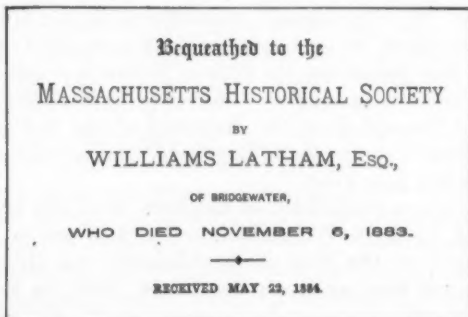
The regal year continued to be given in all the acts before the act of April 13, 1776, which is the first act in which it was changed to the year of the Christian era, although the alteration was first made, on the 5th of April, in the bill of another act, which was not finally passed until a few days later. By the 1st of May, an act was passed requiring a similar change to be made in the precepts for convening the assembly, and in all legal processes, though the title of "colony" was still retained until the second session of the next assembly, when, tidings of the declaration of independence having been received during the previous vacation, the title of STATE began and continued to be used to designate the sovereign authority.

## JUNE MEETING, 1884.

The meeting of the Society was held, as usual, on Thursday, the 12th instant, and the President, the Hon. ROBERT C. WINTHROP, filled the chair.

A report of the last meeting was read by the Recording Secretary and accepted.

The additions by gift to the Library were stated by the Librarian, who referred to the bequest of Mr. Williams Latham, comprising one hundred and sixty-two volumes, all musical works. In these a special book-plate has been inserted, of which the following is a copy:—



The PRESIDENT presented a printed obituary notice in French of the historian Mignet, which had been sent by the family to this Society. He proceeded in these words:—

During my absence from home, Gentlemen, for three or four weeks of April and May, I had some experiences not unworthy of mention here for a place in our records. At Washington, I was fortunate enough to witness the unveiling of a fine statue of Chief Justice Marshall, by our Corresponding Member, Mr. William W. Story. Seated in a chair carefully copied from the one so long occupied by him in the

Supreme Court of the United States, he is represented in the act of delivering one of his great opinions. The statue has a prominent place on the west front of the Capitol, and cannot fail to renew and perpetuate an impression of the inestimable services of Marshall in giving a sound construction to the Constitution in the earliest stages of its existence. It will always have an additional interest, too, as the work of the accomplished son of one who was so long and lovingly associated with the great Chief Justice on the Supreme Bench. Marshall, we may well remember, was an Honorary Member of this Society,—having been chosen in 1809, a few years after he had published his voluminous and valuable “Life of Washington.”

At Philadelphia, by special invitation of Mr. Brinton Coxe, the recently elected President, I visited the new hall of the Pennsylvania Historical Society, and found it most commodious and attractive. It has at least one signal advantage over our own rooms in being on the ground floor, and as thus involving no high climbing over iron stairways. If we shall ever have as large an endowment as our Philadelphia friends have had, we may be privileged to occupy the lower stories of our own building. But I fear that such a consummation will not be reached—however devoutly it may be wished—until some of those who find the ascent most difficult shall have gone higher, and be out of the way of enjoying the improvement.

At New York, our Corresponding Members, Dr. Moore and Dr. Allibone, were most kind in receiving me at the Lenox Library, where, among other new and notable acquisitions, I saw a large volume of autograph papers and original instruments connected with the poet Milton, and some important additions to the De Bry collection of Mr. Lenox, making it the most complete in the world, and, as a whole, altogether unique.

But, notwithstanding these and other enjoyments, I was sincerely sorry to have missed our last meeting, and especially sorry to have lost the opportunity of hearing the communication of Mr. Lawrence in regard to his relations with the early history of Kansas and with the celebrated John Brown. I trust that this communication will soon be printed in full among the Proceedings of that meeting. There are

few things more important to the ultimate truth of history than the seasonable correction of popular errors by those who have personal and positive knowledge that they are errors.

Mr. Lawrence has himself, by his generous contributions to our Library, made us in some sort the custodians and guardians of whatever relates to the late Civil War and to the exciting events which preceded it. There is probably nowhere else so complete a collection as that which he has given us, from time to time, of the books and pamphlets which have been published in such profusion in regard to that period. But we all know how many of those publications have been of a sensational, or, it may be, of a partisan or sectional character; and I think we shall all agree that misrepresentations and mistakes in the accounts of that period, whether relating to military or civil proceedings, should be exposed and corrected by those who discover them, before it is too late.

Biographies and autobiographies, diaries, memoirs, reminiscences, and recollections, succeed each other with marvellous rapidity in these days, and form a most attractive reading for us all. But so many errors find their way into this class of productions, by carelessness or prejudice or malice, that they can by no means be accepted as history. There is a good story of Mr. Jefferson, who was very systematic in cataloguing and classifying his library, and who, on receiving a copy of Wirt's "Life of Patrick Henry," said that he had been greatly perplexed in deciding where to place the volume, but had finally arranged it under the head of Fiction. A terser expression on a kindred topic fell from the lips of Mr. Calhoun, while I was in the way of hearing him in the Senate, when he said, "Mr. President, I have long ago made up my mind that a Diary is evidence against no one but the writer of it."

If we could be sure that these memoirs and recollections would be republished with annotations and corrections, even at the end of a hundred years, as Wraxall's have just been, they might be suffered to pass unnoticed now. But no such revision can be safely counted upon, and corrections must be made now or never. Following the good example of Mr. Lawrence, I propose to make one or two this afternoon.

I have been examining with interest the Autobiography of the late Thurlow Weed, as recently published. It purports to

have been commenced by him at Santa Cruz, on the 15th of February, 1845. But the second chapter is dated "New York, 1st January, 1869," — twenty-four years later, — when Mr. Weed was in his seventy-second year; and it states that the work had been suspended till then. Meantime the little preface by his respected and excellent daughter, by whom the volume was prepared for publication after her father's death, speaks of the Autobiography as "written at various periods, and frequently in detached fragments." All this will amply account for any inaccuracies which may be found in the volume, and will completely disarm every disposition to criticise it unkindly.

My attention has been particularly called to the early part of the sixty-sixth chapter, at page 634, where a very imperfect and incorrect account is given of an unofficial mission to Europe which was offered to several gentlemen of various parts of the country by Secretary Seward and President Lincoln in October, 1861. The language of the Autobiography is as follows:—

"Late in October, 1861, it was deemed important by the Administration that some gentlemen of intelligence and experience, possessing a good knowledge of all the circumstances which preceded and occasioned the Rebellion, should be sent abroad to disabuse the public mind, especially in England and France, where numerous and active agents of secession and rebellion had long been at work in quarters too ready to accept versions unfavorable to the North. Simultaneously I arrived at Washington (says Mr. Weed), and was informed by the Secretary of State that the late Edward Everett of Boston, and Archbishop Hughes of New York, J. P. Kennedy of Baltimore, and Bishop McIlvaine of Ohio, had been invited to accept this mission, but that he was embarrassed by the declension of Messrs. Everett and Kennedy. Mr. Everett (he continues), having formerly been our Minister at the Court of St. James, did not feel at liberty to accept an unofficial position; Mr. Kennedy did not feel able to abandon his business and go abroad without compensation. The four gentlemen thus selected were informed by the Secretary of State that their actual expenses only would be paid. The Secretary then asked me to suggest two suitable persons to supply these vacancies. I named Mr. Winthrop of Boston, and Mr. Ewing of Ohio. He thought well of both, and said he would immediately suggest their names to the President and Cabinet. Archbishop Hughes, Bishop McIlvaine, and Secretary Chase were to dine that day with Secretary Seward. I told him that I would drop in after his guests had left in



the evening. I called at nine o'clock, and found the Archbishop, who had been informed that I was expected, waiting for me. And now I learned, greatly to my surprise and regret, that the Archbishop had declined. Of the four gentlemen designated, Bishop McIlvaine alone had accepted. The Secretary, after I came in, resumed the conversation, and renewedly urged the Archbishop to accept; but he persisted in his declination, repeating, as I inferred, the reasons previously given for declining."

Mr. Weed then proceeds to give an account of his own conversation with the Archbishop and Mr. Seward, and to state the circumstances under which he himself accompanied the Archbishop on this mission on the 6th of November, 1861. Of this part of the narrative I have nothing to say, and do not question its accuracy. I wish only to correct the errors in the previous passages.

Now, as a matter of fact, there were five gentlemen, not four, originally selected by Mr. Seward and President Lincoln for this unofficial mission, and it happened to me to be one of the five. On the 19th of October, 1861, I received a letter from the Secretary of State (still extant), dated the 17th, requesting me to come on to Washington to confer with him "upon a matter of public concern." I left home accordingly on the 22d, and reported to the Secretary at Washington on the morning of the 24th. The public funeral of my friend and former colleague in Congress, Colonel Baker, who had been killed at Ball's Bluff a few days before, — which I attended, meeting the President and Cabinet there, — prevented me from having any formal conference with Mr. Seward during the day; but I dined with him and his family in the evening, and he then unfolded the object of his summons. I here copy, from notes taken at the time, the communication made to me at his dinner-table on that evening:—

"After we had been at table a short time, Governor Seward said that as all his family were members of the State Department, and knew how to observe confidence, he would tell me at once for what he had invited me to Washington. He said that though his despatches from abroad indicated that the opinion of foreign nations was more favorable to the North than it had been at first, yet it was considered highly important that every proper step should be taken to increase the good feeling of Europe towards the cause of the Union, and to counteract the influences which might be produced by Southern agents and



commissioners. With this view, it was the earnest wish of the President, and of himself and Mr. Chase (Secretary of the Treasury), that a few gentlemen who were known abroad should make a visit to England and France at an early day, and mingle with the leading men in London and Paris. For this purpose he had invited Mr. Everett and myself of Boston, Archbishop Hughes of New York, Bishop McIlvaine of Ohio, and Mr. J. P. Kennedy of Baltimore, to come on to Washington for a confidential consultation. Bishop McIlvaine and Mr. Kennedy (he said) had dined with him sociably the day before, and, after a full understanding of the matter, had agreed to go. Archbishop Hughes, he added, was to be with him this evening; but from Mr. Everett he had not yet heard, — he being absent from home and the invitation not having reached him. He then said that it must necessarily be an unofficial proceeding on our part, — a kind of volunteer service in the field of diplomacy; but he added that the expenses of our trip would be defrayed, and every facility given us for speaking with authority. He urged me strongly to go. I told him that nothing would give me more satisfaction than to render any service to the cause of the Union at home or abroad, and that I felt highly complimented in being included in such a proposal, — adding, however, that my obligations to my family, under the peculiar circumstances in which it was placed by a recent domestic bereavement, threw a doubt on my ability to leave home just now. But I promised to give the subject my best consideration, and to go if I could.

"We had hardly finished dinner when Archbishop Hughes was announced, and we all went up to the drawing-room, where Mr. Seward repeated to him all that he had previously said to me.

"The next day (Friday) I called first on the President. Mr. Seward and Archbishop Hughes met me by appointment in the anteroom, and we went in together to the President's library. The President alluded at once to the subject of our being called to Washington, and seemed earnestly desirous that we should give him an affirmative answer."

I forbear from any account of our conversation with President Lincoln, in which he displayed some of his characteristic qualities of wit as well as wisdom, as it would interrupt the current of this explanation; but I recall it as full of entertainment. On the following morning I spent an hour with Mr. Seward at the State Department. It was closed to all but foreign ministers; but I was at once admitted to a conference, and the Secretary placed in my hand a long and interesting despatch, just received from England, which had given him, as it certainly gave me, a more hopeful impression that there

would be no interference, on the part of Great Britain, with our prosecution of the War for the Union. I then spent a few minutes with the Secretary of the Treasury, Mr. Chase, who urged me strongly to comply with Mr. Seward's request and go abroad.

Meantime my friend Mr. Kennedy had written to me to come down and pass Sunday with him, that we might consult together in regard to this unofficial mission; and I left Washington in the afternoon for his cottage at Ellicott's Mills. I found that we entirely agreed in our views of the matter,—both of us having many doubts as to the wisdom of the proceeding, in view of the danger of interference with our accredited ministers abroad, and both foreseeing some embarrassments in our going at once to Europe, but both of us resolved to make any personal sacrifices in our power to comply with the wishes of Mr. Seward and the President. To say nothing of myself, Mr. Kennedy had then virtually accepted the appointment, as Mr. Seward had told me, and fully contemplated going abroad at an early day. I may add that Archbishop Hughes had already more than implied, in his conference with the President, Mr. Seward, and myself, that he was both disposed and ready to go, as he soon afterwards did go.

And now as to Mr. Everett. It happened that he was absent from home, and was thus out of the way of receiving the summons to Washington for several days after the occurrences I have stated. But nothing could be less correct than the statement of Mr. Weed that he had embarrassed the Government by "his declension" of the mission. Returning to Boston a few days afterwards, and there receiving Mr. Seward's request for a conference, Mr. Everett proceeded to Washington without delay, and there wrote to me on the 3d of November as follows:—

MY DEAR MR. WINTHROP,—I have yours of the 30th. I was very sorry not to see you before I left home. I have had one short conversation with Mr. S. since I came here, and have not been able to possess myself fully of his views on the application he has made to us. I shall probably see him again to-day or to-morrow. Kennedy has written to me that he will come down to-morrow. . . .

I am very doubtful whether I shall be able to accede to Seward's proposal. I have appointments to speak in great number, from which I could not well disengage myself without assigning the cause, which he

does not wish done. I do not care to cross the Atlantic in December, and I could not earlier; and the health of my eldest son is such as makes me very unwilling to leave him. . . .

I shall not stay here beyond Friday, and I fear that I may be called home sooner to my son.

Ever sincerely yours,

EDWARD EVERETT.

And now I will read a letter from Mr. Kennedy, which explains the whole matter both as to himself and Mr. Everett, and, I may add, as to myself also.

BALTIMORE, MADISON ST., NOV. 10, 1861.

MY DEAR WINTHROP, — I went to Washington on Monday last, and there met Everett. Seward having gone to New York, I returned home the same evening, promising Everett to come back on Thursday, that we might have an interview together with the Secretary. . . .

I returned to Washington on Thursday, knowing that I was not to meet Mr. Everett, who had written to me the sad cause that hastened him home. My object was to make definitive arrangements with the Secretary for my departure by the "Persia" on the 20th, and to leave here next Thursday. I saw him that morning and again the next morning. He told me that the last despatches from England and France had announced a most satisfactory and significant change of opinion in both countries, and that now everything began to authorize the hope of a decided policy of non-intervention throughout Europe. This led me to suggest to him the question whether this change did not make it desirable to postpone, at least for the present, the purpose contemplated in our mission. I said that it struck me as a matter of some moment that the Government should not appear too sensitive to the opinion of those who were hostile to us, when it had such assurances as he had received of the determination of the Ministry in England and France to forbid any interference with the blockade, etc. He replied that the Cabinet had been in conference on the subject since the receipt of the despatch, and although they did not attach as much importance to the service proposed as before, they still thought it would be well for us to go. He himself, however, concurred with me in thinking that it might be better to wait until we heard something of the reception of Mason and Slidell, and more especially of the impression which might be made by the President's Message, which would be likely to bring the questions touching the war, and our views of what was due to us from foreign governments, to a definite point for their consideration. I assured him that I would much rather wait for some future emergency which might render our services useful, than go to England now with

a conviction that we should have very little to do in the line of duty he required. He said he was gratified that I took this view of the subject, and that he would assume upon himself, notwithstanding the decision of the Cabinet, to postpone for the present the purpose of urging our departure. He added he would write to me hereafter on the matter, and if events should require an early resumption of the scheme, he would let me know. And so we parted. This leaves me, very much to my content, the hope of a quiet domestication at home for the winter. . . .

Yours ever,

J. P. K.

These letters from Mr. Everett and Mr. Kennedy, of which the originals are in my hands, and from which I have omitted nothing which related to the subject, prove clearly that Mr. Weed was greatly mistaken in his account of the matter. They show that Mr. Everett had not declined the service on the ground that, "having formerly been our Minister at the Court of St. James, he did not feel at liberty to accept an unofficial position," or on any other ground; and that if there was any embarrassment at Washington occasioned by him, it was simply owing to his having been absent from home and not receiving Mr. Seward's request for a conference until many days after it had reached the rest of us. These letters prove also that he went to Washington as soon as he had received the summons on his return home, and had an interview with the Secretary on the subject, and that he was to have had a second consultation with him and Mr. Kennedy the next day, but was suddenly called back to Boston by the death of his eldest son. I may add, from my own personal knowledge at the time, that Mr. Everett held the subject of going abroad under deliberation for many weeks, and even months, afterwards, and was ready to do so at any moment when he could see his way clear to rendering any service to the Government.

Meantime Mr. Kennedy's letter abundantly shows that so far from having declined, on the ground that he did "not feel able to abandon his business and go abroad without compensation," he had accepted the appointment at once, and that he went a second time, and even a third time, to Washington "to make definite arrangements with the Secretary for his departure by the 'Persia' on the 20th of November." His letter amply explains the circumstances and views which led to the

abandonment of this arrangement, and to the postponement, with the full concurrence of Mr. Seward, of the plan for any of us going.

I have not the slightest idea that Mr. Weed had any purpose to do injustice to any of the parties concerned in this matter, or that he knowingly misrepresented the facts of the case. It is plain that he was ignorant of those facts at the time, and made up his account from his own impressions long afterwards. Indeed, he was quite out of the way of knowing anything about the relations to the matter of Mr. Kennedy, Mr. Everett, or myself. Neither of us met him at Washington; and if we had met him, the strictest confidence had been enjoined upon us by the Secretary, and we could not have communicated with him or any one else on the subject. But, as a matter of fact, he had left Washington, according to his own account, long before Mr. Everett arrived there, and had sailed for England, with Archbishop Hughes, four days before the date of my letter from Mr. Kennedy. His account of the matter clearly shows, that he was too much absorbed in his own relations with Archbishop Hughes and with his own preparations for embarking, to make any inquiries as to what others were proposing to do, or to get any accurate information as to what actually occurred. I should be the last person to speak unkindly of him or of his Autobiography. My relations to him during the later years of his life were of the most friendly character, and I had formed a warm personal regard for him. His work is one of great interest, and exhibits a career of marvellous activity and ability. But as I am the only survivor of the five persons originally selected for this unofficial mission, I am unwilling that friends whose memories are so dear to me as those of Mr. Everett and Mr. Kennedy, should suffer by so inaccurate an account of their course, however unintentional or accidental the mistake may have been.

In a cursory examination of the second of the Weed volumes, subsequently published, and entitled a "Memoir of Thurlow Weed," I have observed another allusion to myself which requires a slight correction. It will be found on page 363, and is as follows:—

"In 1852 Mr. Weed was apprised of those benevolent purposes which Mr. Peabody afterwards so nobly carried into effect. They discussed together his first great project for relieving the poor of London.

When Mr. Peabody visited this country, in 1866, he communicated to Mr. Weed his then immature scheme for the education and elevation of the Southern poor. He urged Mr. Weed to act as trustee; but this honor was declined in favor of Robert C. Winthrop."

Now I am well aware that Mr. Peabody had a warm personal regard for Mr. Weed, and it is not impossible or improbable that he gave him some early intimation of his idea of making a provision for the education of the children in the States which had been desolated by the War for the Union. But when Mr. Peabody returned from England, and came out to Brookline, by appointment, on the 3d of October, 1866, — immediately after his arrival, — and spent some days with me in confidential consultation, four months before this great Southern benefaction was divulged, he gave me expressly to understand that no human being had been made acquainted with this particular purpose of his, and placed the whole matter unreservedly in my hands, as being altogether undecided upon. I may add that in all our repeated conferences about the members of the board to which the trust should be committed, — the ultimate selection of whom he left mainly to myself, — no New York names were ever mentioned except those of Governor Fish, Mr. Evarts, and Mr. Wetmore; and those were at once agreed upon.

Mr. Weed, in a published letter to the editor of the New York "Commercial Advertiser," — soon after the death of Mr. Peabody, in November, 1869, — stated this matter somewhat differently: "I was much with Mr. Peabody," he says, "in 1861, while he was maturing his first great contribution to the poor of London. When he arrived here, in 1866, he communicated his then immature programme for the education and elevation of the Southern poor, and consulted with me in relation to suitable men for trustees. And it may be proper to say here, that the beneficent plan finally adopted was the suggestion of the Hon. Robert C. Winthrop." This statement, in Mr. Weed's own words, may be left to speak for itself. The language of his recent biography is less consistent with an account of this memorable transaction, which I had occasion to give to my fellow trustees at their annual meeting in 1877, in describing "the origin and progress of the Peabody Education Trust." In that account I find nothing to modify.



JUDGE CHAMBERLAIN laid before the Society a copy of a very early map of Eastern Massachusetts, and said that the little that is known of its history is as follows:—

Mr. Henry F. Waters, now in England, exploring the sources of genealogical and historical information, while searching the Map Department of the British Museum, at the request of our associate, Mr. John T. Hassam, for the map of the Carolina coast, a copy of which was published in our Proceedings (vol. xx. p. 402), accidentally came upon two other maps, one of which was entitled "Massachusetts in N. Englande;" and the other, "A Draught of Boston Harbor." This information having been communicated to the librarian of the Public Library, and by him to the trustees of that institution, they directed that copies of both these maps should be obtained. The map of Massachusetts is now before the Society. The plan of the harbor, which is understood to be that of Cyprian Southack in 1694, is being copied, and in due time will reach this city.<sup>1</sup>

These maps formed a part of the Sloane Collection, which was the foundation of the British Museum; but from what source they came into the possession of Sir Hans may never be known, though inquiry will be made.

It appears to have been the design of the draughtsman to include in this map that part of the Massachusetts Patent bounded on the east by the sea; on the north and south by east and west lines running three miles north and south, respectively, of the Merrimack and the Charles; and on the west by a line about a mile westerly of the Musketaquit, or Concord River, the rise of which in Lake Cochituate, and northward flow through the Sudbury Meadows to the Merrimack, is clearly shown. The position of the hills, ponds, and rivers in this territory, as also the seats of the Indian tribes, and English settlements, though not the result of exact measurements, is laid down with considerable accuracy. The road to Plymouth on the south is shown; and so are the roads between Medford and Lynn, and from thence to Ipswich, and that between Lynn and Salem. The following are the names of the settlements given on the map: Wessagusset, Conyhassett, Nataskett, Dorchester, Rocksbury, Boston, Newtowne, Waterton, Char:towne, Meadford, Winesemett, Pullin Pointe,

<sup>1</sup> It has since been received.



Nottle's I., Deere I., Sagus, Nahant, Marble Harbour, Salem, Agawam, Anasquam, and Cape Ann.

This map is twenty and a half inches from north to south, by fourteen inches from east to west. Besides the names of places, etc., given on the map itself, information as to particular points and objects is found in the margin, by the following memoranda in the hand of Governor Winthrop:—

A: <sup>1</sup> *An Iland cont 100: acres where the Governour hath an orchard & a vinyarde.*

B. *Mr Humfries ferme house at Sagus.*

*Ten Hills: The Governours ferme house.*

*Meadford: Mr. Cradocks ferme house.*

C. *The Wyndmill* } *at Boston.*

D. *The fforte*

E. *The weere.*

*So far as the rivers are laid thus , they are navigable with the tide.*

There is also a "Scale of 10: Italian miles, 320: perches to the mile, not taken by instrument but by estimate."

The date of this interesting map is nowhere given. If the indication of the site of the windmill at Boston was made contemporaneously with the date of the map, it was later than 1632, since in July of that year "the windmill was brought down to Boston, because, where it stood near Newtown, it would not grind but with a westerly wind;" but how much later can only be determined approximately.

The towns at that early period were so few that it may be fairly assumed that any map of the section in which they were situated would indicate their existence; and consequently, if any such places do not appear on the map, it follows that it was made before their erection.

Now, neither Newbury, on the north, which was made a town May 6, 1635, nor Dedham, on the south, which was made a town Sept. 8, 1636, appears on this map. By this test the date of the map was prior to May, 1635. It was probably a year earlier, at least, as may be conjectured from the following considerations.

The draughtsman would undoubtedly give to each town represented on the map the name it bore at the date of the

<sup>1</sup> The above capital letters refer to corresponding letters on the map.

draught. Between 1634 and 1637 the General Court made the following changes in the names of towns: Agawam to Ipswich, Aug. 5, 1634; Newtowne to Cambridge, Sept. 8, 1634; Bear Cove to Hingham, and Wessaguscus to Weymouth, Sept. 2, 1635, and Sagus to Lynn, Nov. 20, 1637. But the map, in all these cases, gives the earlier name; and the inference is, that it was made prior to Aug. 5, 1634, when Agawam became Ipswich.

Approximately, therefore, we find the date of the map between August, 1632, and August, 1634. Whoever may have written the names of the towns and rivers on the map, any one acquainted with Winthrop's handwriting will at once recognize it in the memoranda in the margin. But a question arises when he affixed the marginalia to the map. Presumably prior to the changes of names made by the General Court, all of which he mentions in his "Journal." But this conclusion applies only to those names which had been the subject of change, and involves some difficulties.

But if we are right in fixing the date of the map before May, 1634, then it will appear that the marginalia must have been added some years later; because "Mr. Humfryes ferme house at Sagus," would hardly, though possibly, have been erected before he came over in July, 1634; and still less likely before he had title to the land on which it was built, which was nearly a year later, or May 6, 1635. And so of "Mr Cradocks ferme house at Meadford," which was built on land granted in March 4, 1635.

Nor is it easy to see how these notes could have been made at any time between May 14, 1634, and May 17, 1637. The first entry in the margin is that of "an Iland cont 100: acres where the Governour hath an orchard & a vinyarde." Now Winthrop could not have styled himself as the Governor during the three years (1634-36) during which the chair was held successively by Dudley, Haynes, and Vane.

Nor is this all. Unless the General Court was slack in payment of services rendered, the entry under the great river on the northerly side of the map, in the hand of the Governor and in these words, — "Merimack river it runnes 100 miles up into the Country and falls out of a pond 10: miles broad," — could not have been made before 1639, as appears from the following entry in the Colony Records, under June

6th of that year: "Goodm Nathaniell Woodward was ordered to have three pounds for his journey to discover the running up of Merrimack."<sup>1</sup>

But a difficulty remains. If Winthrop made these entries for the information, as is possible, of some persons in England meditating emigration to Massachusetts, why should he have failed to indicate the changed nomenclature of important towns?

An interesting question arises as to the person who draughted this map. Was it Winthrop himself? Judging from the accuracy of the sketch of the Salem shore which he made on shipboard, as he was approaching the coast, he did not lack the requisite skill as a draughtsman. But the person most likely to have been the draughtsman was Thomas Graves, the engineer, who, in his contract with the New England Company, March 10, 1628-9, describes himself as skilful and experienced "in describing a country by mappe."<sup>2</sup> We know that he made a plan of Charlestown, and was often consulted respecting the division of land. His description of the country in a letter sent to England shows that he was familiar with it.<sup>3</sup> But the most serious objection to this hypothesis is the total dissimilarity of the handwriting on the map to Graves's signature, a fac-simile of which may be found in Frothingham, page 140.

A more careful examination than has been found convenient will be necessary to settle satisfactorily the questions as to the date and source of this interesting map.

Mr. UPHAM said: —

In connection with the important discovery of which Judge Chamberlain has given us an account, I desire to call the attention of the Society to a sketch or chart made by Governor Winthrop of the headlands and islands seen by him on his approach to this coast in 1630, and also to a map of the general outline of the North Shore, as we call it now, from Gloucester to Marblehead. The chart will be found on page 23 of his Journal, apparently left blank for the purpose. The map is on page 170.

<sup>1</sup> Mass. Col. Rec., vol. i. p. 261.

<sup>2</sup> *Ibid.*, p. 32.

<sup>3</sup> Frothingham's History of Charlestown, p. 27.

This map, simple as it is, has a very peculiar value and interest. It is, I presume, the first of the kind made by an actual and permanent resident of the colony; and, so far as it goes, it is quite minute and accurate, presenting to us in a most interesting manner the general appearance of the coast to an intelligent observer, as seen by him for the first time, probably from some elevated position on shipboard.

At a meeting of the Essex Institute in 1870, I read a paper on the first settlement of Salem, giving as well as I could, from a careful study of the records, the location of the first houses and house-lots, and the plan upon which the town was originally laid out. A mistaken idea had long prevailed that the earliest settlement was at Collins' Cove, on that part of Salem which extends northward towards Beverly, where there was, and still is, a large area of marsh land, known as the "Old Planters' Marsh." All the evidence of the records, however, proves that the first buildings were in what is now the central part of the city, near where the Eastern Railroad passes through it. To help me in sustaining this record evidence, I was allowed to make a tracing of Winthrop's sketch of 1630, to exhibit at that meeting. The peninsula upon which Salem is situated is there exhibited with remarkable correctness; and the manner in which the South River is delineated confirms the belief that it was the narrow and winding channel of that river which Winthrop describes in his Journal as having rendered it necessary to "warp" his vessel. Collins' Cove, which is a shallow inlet laid bare at low tide, is hardly represented at all. I have given this particular statement to show why the sketch of 1630 is specially interesting to me, and as a reason for my expressing a hope that the Society will cause it to be suitably published, in connection with this later map, apparently by the same hand.

As to the plan or map now exhibited, it confirms in a marked manner the opinion above stated as to the location of the first houses in Salem. It would seem that the date of its draughting must have been between 1632 and 1635. Were it not for the houses of Humphrey and Cradock, which would probably carry it to 1634, I believe there is nothing to conflict with as early a date as 1633. The highways and the names of places indicate that year. If the date had been later, it would seem probable that the settlement at Agawam would have been

called Ipswich. I do not find the name "Marble Harbor" used after 1634.

In connection with the mention of Humphrey's house, it may be interesting to read a copy of a paper which I found a few days ago among the mass of Court Files at Suffolk Court House, which have recently been placed in my charge for arrangement.

John Putnum of Lawfull age testifieth & saith y<sup>t</sup> to his sertain knowledge about Sixty years scence Collo<sup>n</sup> John humphrys did liue one and Improue the plaine farme or farme commonly known by the name of M<sup>r</sup> humpheryes plaine or farme Lyeing neare unto Marble head: & bordering on M<sup>r</sup> Petters farme: & forest Riuer; I this deponent did work one sd farme for diuerse years together; in carting Timber &c; and did frequent M<sup>r</sup> humpheryes house one sd farme in the above sd time and farther I the deponent doe testifie y<sup>t</sup> Coll<sup>n</sup> Humphreys did improve sd farme by building Plowing and fenceing of sd [farme] and was reputed his for diuerse years; and neuer knew anything to the contrary and farther adds that this farme was called plain farme neare to a farme called Swampscutt where the Lady Moody lived and to the Eastward with Peters [*Devereuxes* previously written but cancelled] farme

IPSWICH May 21, 1702 Sworne in Court

Attests ELISHA COOKE Cls.

Dr. CLARKE then spoke substantially as follows in reference to John Brown of Osawatomie:—

I did not have the opportunity of hearing Mr. Lawrence's remarks on John Brown at our last meeting; being, like yourself, sir, outside of the State at that time. What I wish to say now, is not therefore intended as a reply to Mr. Lawrence, whose generous efforts in behalf of Kansas, made in her darkest hours, contributed, as we know, more than those perhaps of any one else, toward making her a free State. But I wish to express my dissent from a view taken by some persons to the effect that Brown was an unprincipled ruffian, delighting in bloodshed, and ready to stir up an insurrection among slaves, no matter what might happen to their masters. This notion is false. John Brown was a Puritan of the type of Cromwell's troopers, who took the Old Testament view of the way of treating one's enemies, rather than that of the New Testa-

ment. He believed in fighting fire with fire. He cherished no ill-will toward any human being; there was no malice or desire for vengeance in his constitution. Till he was fifty-five years old he had lived in various parts of the country, passing a sober, industrious, honest, and peaceable life. Everywhere he was respected as an upright man, seeking to obey all laws, human and divine. His faith in "the higher law" only meant this,—that when the law of God and that of man were in conflict, "we must obey God rather than man."

The Missouri Compromise of 1820 admitted Missouri into the Union as a slave State, but forbade the existence of slavery in any Territory north of  $36^{\circ} 30'$ . Having secured their share of the bargain, the slave-power succeeded in repealing the other side, which was in favor of freedom; and slavery was no longer prohibited from entering Kansas. The only way to prevent this evil was by settling it with men from the free States who should be favorable to liberty. For this purpose the Emigrant Aid Societies were formed, and John Brown with his sons went to Kansas to assist in this object. But the slave-power determined to defeat it, not only by sending slaveholders into Kansas, as they had a right to do, but by establishing a reign of terror, which should drive the free-State settlers out of the Territory. For this purpose men were taken from their homes, tortured and murdered, for no offence except that they wished Kansas to be a free State. The people of Missouri invaded Kansas, and drove the free-State men from the polls. The United States Government was on the slaveholders' side, and gave neither protection nor redress to the other party. Dow, a free-State settler, was shot down in open day. Barber was shot dead by an Indian agent. Baker was taken from his house, whipped, hung to a tree till half dead, then released on condition of leaving Kansas. Sherman (one of those put to death by Brown) was engaged in these barbarities, and threatened that if the other free-State men did not leave they would share the fate of Baker. Bondi, who knew all the facts, says that Sherman (called "Dutch Bill") was a giant, six feet four inches high; and for some weeks before his death, he, in company with the Doyles, had broken into the houses of the free-State settlers, insulted their women, and ill-treated any men whom they found alone. One woman had been so terrified that she died of the fright. Other women



were begging for protection against these ruffians, for themselves and their children. John Brown regarded it as a state of war, and determined to protect these families by exterminating this nest of murderers; and after they were killed the country had peace.

A friend of mine, the Rev. Ephraim Nute, went out to Kansas as a missionary; but as he was one of the free-State emigrants, he was threatened with death if he remained. One Sunday morning, the news came to Boston that he had been seized by the Border ruffians, and was in danger of being killed. I tried to think what I could do to save him. Perhaps you, Mr. Winthrop, will remember that I came to your house that Sunday afternoon, and asked you if you knew Colonel Sumner (afterward General Sumner), then commanding the United States troops in Kansas, and if you would write to him to interfere and save Mr. Nute's life. You answered most promptly and cordially that you would do so. "Tell me what to say," said you, "and I will write it." Accordingly you wrote an earnest appeal to Colonel Sumner, and handed it to me to mail. I presume that letter may have had much to do with Mr. Nute's escape. This illustrates the condition of things in Kansas at that time.

It is easy for us, living in a land of law and order, to denounce such an act as that of John Brown, and call it a cold-blooded assassination; but I imagine we should have felt differently if we were living with our wives and children in the neighborhood of men who had threatened their lives, and who had already committed numerous outrages. There was no law to punish these men or defend these innocent families. The same state of things which produced the Vigilance Committees of California, who also took the lives of offenders without any process of law, then existed in Kansas.

I am not defending John Brown's conduct as justifiable by the Christian code,—you cannot carry on war according to the principles of the Gospel,—but I am showing that John Brown may have been a sober, just, and peaceable man, and yet have felt it his duty to take the only way in his power to put a stop to the atrocities then being perpetrated. He no doubt believed it an act of self-defence to take the lives of these ruffians. Jesse Brown, in his reply to Mr. Utter, in the "North American Review," says: "From my earliest recollec-



tion of my father, he was the most conscientious man I ever knew; and I am sure that nothing but the sternest sense of duty could have induced him to cause the death of these men on Potawatomie Creek." The Doyles had been slave-hunters before they came to Kansas, and they brought two of their bloodhounds with them. Dutch Bill (Mr. Sherman) had amassed considerable property by robbing cattle-drovers and emigrants. Wilkinson was one of the principal leaders in all attempts to annoy and extirpate the free-State men. On the very day of his death he had threatened some of them that in a few days they would be either dead or driven out of the Territory. This is the testimony of Bondi, who was living in that neighborhood, and himself knew all these persons. The leaders of the pro-slavery party had publicly declared that they would neither give nor receive quarter, and had announced beforehand a war of extermination.

I think that my friend Mr. Lawrence is mistaken in speaking of John Brown's "design at Harper's Ferry of exciting a servile insurrection." I saw Brown just before he went to Virginia, and he told me that he meant to repeat in another part of the country what he had done in Missouri, by taking the slaves from the border slave-States into a land of freedom. His design was not insurrection, but to set the slaves free, and take them into a free State. In this way, he thought, slavery would be made insecure, and gradually pushed farther south. His plan was unsound, and its failure was certain. But it was not slave insurrection which he intended.

John Brown will remain, I believe, a monumental figure; a survival of the old Covenanters, who carried a sword in one hand and a Bible in the other. He was such a man as those whom Scott has so well described in "Old Mortality." I have no doubt that the final verdict of history will confirm the opinion of Governor Andrew,—"Whatever we may think of John Brown's *actions*, John Brown *himself* was right."

Mr. DEANE read an extract from an article which appeared in the "Cambridge Tribune" of the preceding week, on "The Statue of John Harvard," in which the writer, after speaking of the donor and the artist, proceeded to say that "the statue will be as near a portrait one as the very few pictures of John Harvard now remaining will allow." So, said Mr. Deane, we

are fast realizing the forebodings of the President, in his remarks at the last October meeting of the Society, about "mythical statues" and "the confusing and confounding of historical truth." Every one present knows that no picture or image of John Harvard has come down to us, and that the accomplished artist has been obliged to draw upon his own resources in modelling the ideal features of his subject; and in this respect he has been particularly happy in receiving suggestions and inspiration from sources which private friendship has laid open to him. We are fast collecting a gallery of doubtful and fictitious portraits of the fathers and founders of New England. We have a portrait of John Wilson, the minister of the first church in Boston, and of John Cotton, his associate, and of John Eliot, the apostle to the Indians, and of Roger Williams, the apostle of religious freedom. Probably, if the canvas could speak, no one of these pictured worthies would claim to be the "lively effigies" of the distinguished original. And now we are to include in that gallery a "portrait statue" of John Harvard.

Mr. HASSAM communicated some notes which had been forwarded to him from London in relation to certain researches now making with regard to the parentage and ancestry of John Harvard, and he stated that there were strong reasons for believing that the mystery which has so long enveloped this subject is about to be dispelled by the exhaustive search upon which Mr. Henry F. Waters is now engaged.

Mr. GOODELL submitted, without reading, the following copy of a commission of oyer and terminer for the trial for murder of the Indian, Mamoosin, at Salem, in 1703, which Mr. William P. Upham recently discovered in the Clerk's Office at Salem. This is the only commission of the kind known to be in existence; the commission printed in the *Proceedings* (vol. xx. p. 321), being of a form under a special statute.

SEAL.

ANNE, by the Grace of God of England, Scotland, France and Ireland Queen Defender of the Faith &c. —

TO our Trusty and Welbeloved JOHN HATHORNE, WILLIAM BROWNE, JONATHAN CORWIN, BENJAMIN BROWNE & JOHN HIGGINSON Esq<sup>r</sup> Greeting.

KNOW YEE That we have assigned you or any three of you (whereof either of you the before named JOHN HATHORNE and WILLIAM BROWNE WE will to be one) OUR JUSTICES, for this time to enquire by the Oaths of good and lawful men, Inhabitants of Our County of Essex within OUR PROVINCE of the Massachusetts Bay in New England, and by other ways, means and methods, by which the Truth of the matter may be the better known of all Felonies, Murders, homicides and manslaughters committed by a certain Indian named MAMOUSIN now in Custody within Our Goal in the county afores<sup>d</sup>: on whome, when, how and in what manner done and perpetrated, and of other Articles and circumstances, the premisses or any of them in anywise concerning. And the same Felonies, Murders homicides and Manslaughters to hear and determin according to Law. AND therefore WE comānd you That at Salem within the county of Essex afores<sup>d</sup>: at a certain day on or before the Tenth day of December next comeing, which you or any Three of you (whereof either of you the before named JOHN HATHORNE and WILLIAM BROWNE WE will to be one) shall appoint for that purpose, you diligently make inquiry upon the premisses, and all and Singular the premisses hear and determin, and to do and Accomplish those things in forme afores<sup>d</sup>: thereupon, which unto Justice appertaineth to be done according to Law. And such Order process, Judgement and Execution to be used, had, done and made against the said Indian, so being convicted of any of the Offences above mentioned respectively as by Law is Accustomed. Saving to us OUR amerciāments and other things to us thereupon belonging ALSO WE Command OUR SHERIFFE of OUR s<sup>d</sup> County, That at the day and place aforesaid, which you or Three of you (whereof either of you the before named JOHN HATHORNE & WILLIAM BROWNE WE will to be one) shall make known unto him, to cause to come before you or three of you (whereof either of you the before named JOHN HATHORNE & WILLIAM BROWNE WE will to be one) such and so many good and Lawful men of his Bailywick by whom the Truth of the matter may be the better known and Inquired.

IN TESTIMONY whereof WEE have caused the Publick Seal of OUR Province of the Massachusetts Bay aforesaid to be hereunto Affixed. WITNESS JOSEPH DUDLEY Esq<sup>t</sup>: Captain General and Governour in Chief in and over OUR s<sup>d</sup> Province AT BOSTON the Twenty fourth day of November. In the Second year of OUR Reign annoq, Dñi 1703.

By Order of his Excellency the Govern<sup>r</sup>: by &  
with the Advice & Consent of y<sup>e</sup> Council

J DUDLEY.

Is<sup>a</sup> ADDINGTON. Sec<sup>y</sup>.

[Endorsed by STEPHEN SEWALL, Clerk of the Courts]  
"Comission to hold y<sup>e</sup> Court  
of Oyer & Terminer. 1703."

Mr. GOODELL further stated that the extract from Las Casas's "History of the Indies" which appears in a footnote to Helps's "Life of Las Casas," p. 67, is not to be found at the place referred to in the edition of that History printed at Madrid in 1876. He also said that the manuscript copy of the History used by Prescott is not in the library of Harvard College, and asked if any member could inform him where he could find that copy.<sup>1</sup>

Mr. C. C. SMITH being about to sail for Europe, it was voted that he be authorized to represent this Society on any fit occasion while he is abroad.

Dr. GREEN mentioned that the account which he had given at a former meeting of the personal appearance of Peter Faneuil was confirmed by Sargent's "Dealings with the Dead," which states (vol. ii. p. 567) that "on one foot he wore a very high-heeled shoe."

A serial number of the Proceedings from January to March inclusive was laid on the table by the Recording Secretary.

It was voted that the meetings in July, August, and September be omitted, unless a special meeting shall be called by the President and Secretary.

<sup>1</sup> Mr. Goodell has since ascertained that the Prescott copy was probably consumed in the great fire at Boston, in November, 1872. The passage quoted by Helps, which is given at greater length by Quintana, appears in book 3, chapter 102, of the printed copy. Another similar passage quoted as from chapter 128 of the same book, in manuscript, is in chapter 129 in the printed volumes.

## OCTOBER MEETING, 1884.

The Society resumed its meetings, which had been discontinued during the summer, on Thursday, the 9th instant; the President, the Hon. ROBERT C. WINTHROP, in the chair.

The record of the last meeting was read by the Secretary and accepted.

The Librarian's report of gifts to the Library was submitted; and it included a regimental Order Book kept during the Revolution, which had been received from Dr. Charles E. Clark, of Boston.

The PRESIDENT then said:—

I trust, Gentlemen, that none of us are sorry that the time has arrived for resuming our regular meetings. It may even be hoped that the unaccustomed interval of three months will have given us all a fresh appetite for these historical conferences. There was something, certainly, of special good fortune in our having made that interval as long as it has been. The second Thursday of September, which we had included, almost for the first time, in our summer vacation, proved to be one of the most oppressive days of the season, ending in a startling storm of thunder and lightning, and giving us occasion for congratulation that there was no meeting here to call us away from our homes. I recall it the more vividly, as our worthy Vice-President, Dr. Ellis, had kindly driven out to see me at Brookline, where I had been confined by ill-health for many weeks, and we did not fail to remember the day. I may add that we agreed in thinking that it would be wise for the Society to make our vacation hereafter three months, instead of two months, as it generally has been in former years.

During the interval which has elapsed since our June meeting, I have received several contributions to our Library or archives, which may be worthy of notice and acknowledgment. Our Corresponding Member, Mr. Henry Tuke Parker, has sent me a new and interesting Report of the British Historical Manuscripts Commission, giving an account of a large collection of papers belonging to Mrs. Stopford Sackville, of

Drayton House, Northamptonshire, most of which relate to our Revolutionary period, and throw some additional, if not entirely new, light on the views and conduct of the English Ministry and of the British generals connected with that period. It is amusing, to say the least, at this day, to find Eden, afterwards Sir William Eden, in a letter to Lord George Germain, written in behalf of Lord North, saying that "a worthy General [Gage] with parts inferior to his situation, and a corrupt Admiral [Howe ?] without any shadow of capacity, have jointly contributed to increase the strength and numbers of the armed rebels in a very great degree, and to render the avowal of rebellion general over the whole American continent." Nor is it less edifying to find Admiral Sir George Rodney telling Lord George, in 1780, that "he must not expect an end of the American War until he can find a general of active spirit, who hates the Americans from principle." There are also, in this report, some new letters of Count Rumford, the value of which may have been already ascertained by his biographer, Dr. Ellis, to whom I communicated the report without delay, and who will deposit it in our Library after he has sufficiently examined it.

Mr. William T. R. Marvin has sent me the original autograph manuscript of a college exercise of Daniel Webster, dated 15 December, 1800, on the question, "Would it be advantageous to the United States to extend their Territories?" It was given to Mr. Marvin's father, who was long the confidential printer of Mr. Webster, and the publisher of the original edition of Webster's works, — as I had the best reasons for knowing, — by Webster himself, who called it his "first article on constitutional law." I have an indistinct impression that a copy of this little paper was received, and perhaps printed, by our Society some years ago.<sup>1</sup> But even if it were so, the autograph original is worthy of a place in our archives; and I present it accordingly in the name of Mr. Marvin.

Our accomplished Corresponding Member, Dr. George H. Moore, of New York, has sent me various little items of antiquarian and historical interest from what he calls his "ancient memoranda," some of which, if not all, he thinks may have

<sup>1</sup> Vol. xi. p. 329. — Eds.

escaped the notice of our local antiquarians. Here, first, is a list of the persons who kept carriages in Boston in 1768. The caption is in French, as follows:—

“Noms des personnes qui tiennent carosse a Boston, 1768:—

Gov. Bernard.	John Rowe.
Andrew Oliver.	John Hancock.
—— Pitts.	Dr. Gardner.
Commiss. Hubbard.	William Vassal.
Deacon Philips.	Capt. Erving.
Thomas Hutchinson.	Dr. Clarke.
James Bontineau.	Dr. Bulfinch.
John Apthorp.	Dr. Lloyd.
Widow Apthorp.	Widow Green.
Ebenezer Pemberton.	Widow Storer.
James Bowdoin.	Mr. Flucker.”

Twenty-two in all.

Here, next, is “a notice of an early attempt to provide for medical education in Massachusetts, showing that such a provision was a desideratum in Harvard College at the date mentioned.” Dr. Moore says:—

“‘A Projection for Erecting a Bank of Credit in Boston, New England, Founded on Land Security, in 1714,’ shows that the famous Land Bank Company, in their original project for starting the company, very shrewdly threw out, as an inducement to promote subscriptions, several benevolent propositions well calculated to stimulate the interest of the public-spirited friends of education. One of them was the following: ‘Two Hundred Pounds per annum to be paid to the Treasurer of Harvard College in Cambridge for the Uses following: Viz. Twenty Pounds per annum for a Mathematical Professor residing there, &c. . . . Forty Pounds per annum for the Encouragement of Three Graduates Residing there until they take their Master’s Degree, &c. . . . One Hundred Pounds per annum for the support of Six Ministers’ Sons to be equally divided among them, &c. . . . *Forty Pounds per annum to a Professor of Physick and Anatomy, Residing there, provided he read a Lecture once a Month on that subject.*’”

Lastly, Dr. Moore adds a postscript to his communication as follows:—

“With reference to Dr. Peabody’s admirable vindication of Judge Pickering’s memory,<sup>1</sup> Mr. Jefferson’s own reference to him seems to

<sup>1</sup> Vol. xx. p. 333 ff. — Eds.



have been forgotten, though it may have been the source of Mr. Randall's inspiration and Mr. Morse's last utterance. Jefferson's words are: 'In the impeachment of Judge Pickering, of New Hampshire, a habitual and maniac drunkard, no defence was made. Had there been, the party vote of more than one third of the Senate would have acquitted him.'"<sup>1</sup>

It only remains for me, Gentlemen, to announce officially, for the record of our Proceedings, the death of a venerable associate, which none of us individually can have failed to notice at the time it occurred.

The Hon. Stephen Salisbury died at his home in Worcester on the 24th of August last, at the advanced age of eighty-six years. He was elected a Resident Member of this Society in March, 1858, and had thus been one of our little number for more than a quarter of a century. He was a frequent attendant at our monthly meetings, in years past, notwithstanding the forty miles of travel—I should rather say the eighty miles of travel, coming and going—which such an attendance involved; and he was always ready to co-operate with us in whatever might promote our welfare.

But I need not say that he will be longest remembered in connection with associations and institutions in his native place. Born in Worcester, he never yielded to the attractions or distractions of larger places of residence. Throughout his protracted life he remained faithful to Worcester, doing all in his power, by the ample wealth which he had inherited and by his personal influence and enterprise, to build up that which was a little town of two thousand four hundred inhabitants at his birth, in 1798, to the importance which it now enjoys as a city of sixty or seventy thousand people, taking rank as the second city of Massachusetts in population, business, and wealth. As President of the old Worcester Bank for nearly forty years, and as President of the Worcester County Institution for Savings for more than five-and-twenty years, and still more as one of the largest benefactors and most active friends of the admirable Free Institute of Industrial Science, his name will long be gratefully remembered in the heart of the Commonwealth.

<sup>1</sup> Randolph's Memoirs, vol. i. p. 69, note.

But it was as President of the American Antiquarian Society, founded at Worcester by Isaiah Thomas in 1812, that he became known and respected far beyond any mere local range. He had held the chair of that distinguished institution for thirty years, and had spared nothing in the way of personal effort or pecuniary gift to promote its prosperity and honor. The Annual Meetings of the society at Worcester were occasions not easily to be forgotten by those who were privileged to partake of his generous hospitality and friendly entertainment. It is among my personal regrets, now that he is gone, — as I annually wrote him while he lived, — that I was so rarely able to enjoy those attractive gatherings. Another such meeting is just at hand, when he will be sorely missed, and which will doubtless furnish the occasion for tributes to his memory, additional to those so justly paid at his funeral.

Mr. Salisbury was a man of liberal education and varied acquirements, and his contributions to the Transactions of the Society over which he presided were numerous and interesting. Prepared for college at the old Leicester Academy, he was graduated at Harvard University in the notable class of 1817, which included among its members, George Bancroft, Caleb Cushing, George B. Emerson, Samuel A. Eliot, Judge Charles H. Warren, Joseph Coolidge, Samuel E. Sewall, President Alva Woods, and Dr. Stephen H. Tyng, — and of which I may be pardoned for remembering that Francis William Winthrop took the very first honors, only to die two years afterwards, of consumption, at nineteen years of age. Mr. Salisbury was a warm and liberal friend of his Alma Mater, which conferred on him the degree of Doctor of Laws in 1875, and of which he was an Overseer for twelve years. He was also, for several years, a Representative for the town, and a Senator for the county, of Worcester, successively, in our State Legislature.

I must not omit to mention that Mr. Salisbury was long associated with me as one of the few original Trustees of the Peabody Museum of American Archæology and Ethnology at Cambridge, and rendered faithful and valuable service as its Treasurer for fourteen or fifteen years. As lately as the 20th of June last, — only two months before his death, — he came down from Worcester, on a hot day, in his eighty-sixth year, to attend a visitation of that Museum. The physical weak-

ness which he exhibited on that occasion fully prepared me for the fatal result which followed so soon afterwards. But he was unwilling to deny himself that last view of an institution in which he had been so deeply interested from its first organization, and which he once told me was, in his judgment, the most satisfactorily and successfully administered institution with which he had ever been associated.

I am authorized by the Council to submit the following Resolutions:—

*Resolved*, That in the death of the Hon. Stephen Salisbury, LL.D., our Society has lost one of its most respected and venerable members, and that a Memoir of his long life and exemplary character be prepared for our Proceedings by the Hon. John D. Washburn.

*Resolved*, That our Vice-President, Dr. Deane, be charged with communicating to the American Antiquarian Society, at their approaching Annual Meeting, an assurance of our sincere sympathy in their loss of a President who had served them so acceptably and efficiently for more than a third of a century, and whose devotion and munificence have so prominently identified him with their prosperity and welfare.

The Resolutions were unanimously adopted.

The resignation of Mr. Ellis Ames, in consequence of long-continued ill-health, was accepted. The resignation of Mr. William Gray was also accepted.

Mr. YOUNG then spoke as follows:—

It was my duty, as Recording Secretary, a few months ago to revise the list of members of this Society for the recently published volume of the Proceedings. On this list was the name of Major E. B. Jarvis, of the British Army, who was elected a Corresponding Member on the 27th of March, 1845, with the title "Surveyor-General of India." No authentic information being obtainable in this country with regard to him, I wrote to the Hon. James Russell Lowell, our associate, and minister at the Court of St. James, to inquire if he could ascertain whether Major Jarvis was living or dead, and if he could procure any facts concerning him. In reply to this request I have received the following note:—

LEGATION OF THE UNITED STATES, LONDON,  
June 20, 1884.

REV. EDWARD J. YOUNG.

DEAR SIR,—I beg to acknowledge the reception of your letter of the 21st of April, and to say that I have received from the War Office in reference to the inquiry which I caused to be made there in your behalf: "I have had our official records carefully searched, and have also made inquiries at the India Office, but am sorry to say that no trace can be found, either here or there, of the officer referred to as 'Major E. B. Jarvis,' in the letter you left with me. According to the information I have received from the India Office your correspondent is in error in supposing that 'Major Jarvis' was Surveyor-General of India at the time named."

Pray accept my thanks for the kind manner in which you refer to the academic honors which have been conferred upon me here, and believe me

Faithfully yours,

J. R. LOWELL.

Dr. GREEN made the following remarks:—

At the meeting held on March 9, 1882, a letter was read from our Corresponding Member, George H. Moore, LL.D., of New York, which was subsequently printed in the Society's Proceedings (vol. xix. p. 250) of that date. It propounded an interesting medical question, and, besides, contained the following paragraph:—

"In referring this topic to our associates in the Society, I am reminded also of my desire to know if any of the brethren can identify what must have been widely known in the early annals of New England as the 'Long March,' or the 'Hungry March.' I have met with references to it, and suppose it to have been as early as the Narragansett War, but should be glad to be instructed with authority on the point."

Dr. Moore is right in referring this march to a period as early as the Narragansett War. An entry in the printed Journal of the Massachusetts House of Representatives (page 70), Jan. 18, 1731, seems to fix its date beyond all doubt, and gives inferentially the reason for the name. It seems that Thomas Tilestone was one of a committee representing the Society of the Narragansett Soldiers, who, in consideration of their services during the war, petitioned the General Court for a grant

of land. Their application was favorably considered by the House, and sent to the Council with a strong statement of the case, or "message," as it was called. It is there recorded that —

"This House have thought it might tend to promote a good Understanding and Harmony in this Court, to lay before the Honourable Board, wherefore it is, that the Representatives have come into the Grant of a Tract of six Miles square to each hundred and twenty Persons, which they have made this Session, in Answer to the Petition of *Thomas Tilestone* and others, a Committee in behalf of themselves and the rest of the Soldiers and their Descendants who were in the *Narraganset War*: And one great Reason is, that there was a Proclamation made to the Army in the Name of the Government, (as living Evidence very fully testify) when they were mustered on *Dedham Plain*, where they begun their March, *That if they play'd the Man, took the Fort, and drove the Enemy out of the Narraganset Country*, (which was their great Seat) *that they should have a Gratuity in Land, beside their Wages*: And it is well known, and our sitting to hear this Petition, is an Evidence that this was done; and as the Condition has been performed, certainly the Promise in all Equity and Justice ought to be fulfilled: And if we consider the Difficulties those Brave Men went thro' in storming the Fort in the depth of Winter, and the pinching Wants they afterwards underwent in pursuing those *Indians* that escaped, through a hideous Wilderness, famously known throughout *New-England* to this Day, by the Name of, *The Hungry March*; and if we further consider, that until this Brave tho' small Army thus play'd the Man, the whole Country was filled with Distress and Fear, and we trembled in this Capital *Boston* it self; and that to the goodness of God in this Army, we owe our Fathers and our own Safety and Estates, we cannot but think that those Instruments of our Deliverance and Safety ought to be not only *justly*, but also *gratefully* and *generously* Rewarded, and even with much more than they pray for, if we measure what they receive from us, by what we enjoy and have received from them."

The message goes on further to state that these soldiers —

"were not Vagabonds, Beggars and Outcasts, of which Armies are sometimes considerably made up, who run the Hazards of War, to avoid the Danger of starving: So far from this, that these were some of the best of our Men, the Fathers and Sons of some of the greatest and best of our Families, and who could have no other View but to serve their Country, and whom God was pleas'd accordingly in a very remarkable manner to Honour and Succeed."

It is evident from this description that these Narragansett soldiers represented the best social elements in the colony, and that they were fighting for their very existence. In this respect they remind us somewhat of the Union army during the late Rebellion, which was made up largely of the most promising young men in the land. The parallelism is by no means lost when we learn that a Society of Narragansett Soldiers was formed in order to obtain land grants from the Government, for military services.

I am tempted to note another fact found in this same Journal of the House of Representatives (page 2), Dec. 2, 1731, relating to a popular phrase. It is commonly supposed that the expression *Father of his Country* was first used by us in connection with General Washington; but it appears that Governor Belcher applied it to George II., before Washington was born. In an address to the Council and the House of Representatives, he says:—

“As I abhor every thing that carries the Face of blind Obedience, so I do the least appearance of want of Duty to a Prince, who upon the highest Reason may challenge to be stiled, THE FATHER OF HIS COUNTRY. Thus happy is the whole *English* World, IN HIS PRESENT MAJESTY: I therefore hope, we shall all endeavour to make this People happy under the present Reign and Establishment.”

Mr. HASSAM announced that a valuable manuscript had recently been discovered by Mr. Henry F. Waters in the British Museum. It was written about the year 1660 by Samuel Maverick, one of the first white men who ever settled on these shores, and it contains an account of all the towns east of the Hudson River, and gives a picture of what may be called the prehistoric state of New England. It consists of thirty foolscap pages, on which the lines are loosely written; and although the name of the author is not given, it is ascertained by internal evidence.

*A Briefe Discription of New England and the Severall Townes therein, together with the Present Government thereof.*<sup>1</sup>

*Peñaquid.*—Westward from Penobscott (which is the Southermost Fort in Nova Scotia) fourteen Leagues of is Peñaquid in which River Alderman Alworth of Bristole, settled a Company of People in the

<sup>1</sup> Egerton MSS. 2395, ff. 307-411.



yeare 1625, which Plantation hath continued and many Families are now settled there. There was a Patent granted for it by his Mat<sup>ty</sup>: Royall Grandfath<sup>r</sup> and by vertue of that Patent they hold the Islands of Monahagan and Damerells Coue, and other small ones adjacent Commodious for fishing.

*Sagadahocke.* — Three leagues distant from Damerells Coue is Sagadahocke at the mouth of Kenebeth River, on which place the Lord Pohams people settled about fiftie yeares since, but soon after deserted it, and returned for England; I found Rootes and Garden hearbs and some old walles there, when I went first over which shewed it to be the place where they had been. This is a great and spreading River and runes very neer into Canada. One Captaine Young and 3 men with him in the Yeare 1636 went up the River upon discovery and only by Carying their Canoes some few times, and not farr by Land came into Canada River very neare Kebeck Fort where by the French, Cap<sup>t</sup> Young was taken, and carried for france but his Company returned safe and about 10 yeares since a Gentleman and a Fryer came down this way from Kebeck to us in New England to desire aide from us ag<sup>st</sup> the Mowake Indians who were and still are their deadly enemies; This River by reason of its nearnesse to Canada and some other branches of it tending towards Hudsons River; and a Lake of Canada afford more Beaver skins and other peltry then any other about us: On this River & on the Islands lying on the mouth of it are many families Scatteringly settled. Some attend wholly the trade with the Indians, others planting and raising a stock of Cattle and Some at the mouth of the River keep fishing. There was a patent granted to Christo: Batchelo<sup>r</sup> and Company in the year 1632 or thereabouts for the mouth of the River and some tract of land adjacent, who came over in the Ship named the Plough, and termed themselves the Plough Company, but soon scattered some for Virginia some for England, some to the Massachusetts never settling on that land.

*Casco Bay.* — Betweene Sagadahocke and Cape Elizabeth lying about 7 Leagues assunder is Casco Bay; about the yeare 1632 there was a Patent granted to one Cap<sup>t</sup>. Christopher Lewett for 6000 acres of land which he tooke up in this Bay neare Cape Elizabeth and built a good House and fortified well on an Island lying before Casco River this he sold and his Interrest in the Patent to M<sup>r</sup> Ceeley M<sup>r</sup> Jope and Company of Plimouth, In this Casco Bay are many scattering Families settled. There was a Patent granted for this Bay some yeares since by the title of the Province of Ligonio to Collonell Alexander Rigby afterwards a Judge, and under this Government the People lived some yeares, till of late the Government of the Massachusits hath made bold to stretch its Jurisdiction to the midle of this Bay, and as lying in their way have taken in a dozen of Governments more.



*Richmond Island.*—There was long since a Patent granted to M<sup>r</sup> Robert Trelawny of Plymouth from Cape Elizabeth to Spurwinke River including all Richmond Isle, an Excellent fishing place, His Agents for matter of Government long since submitted to the Province of Mayne, for which Province a Patent was long since granted to S<sup>r</sup> Ferdinando Gorges there are not many people in it, Those that are, are under the Government of the Massachusits.

*Black Point.*—The next place inhabited is Black Point two miles from Richmond Island; For this a Patent was granted to Captaine Cammock whose successor M<sup>r</sup> Henry Joselin lives there now, and severall Families besides, they were under the Government of the Province of Mayne, but now Commanded by the Massachusits.

*Saco.*—Three miles beyond this is Saco River abounding with ffish as Basse, Sturgeon and Salmond. The Northside of the River was granted by Patent to M<sup>r</sup> Lewis and Capt. Bonithan, and the Southside to on M<sup>r</sup> Richard Vines, upon this River are severall Families settled formerly under the Government of the Province of Majne and here was kept some time the Generall Court for that Province, but now Commanded by the Massachusits.

*Wells.*—Three miles from Saco River are Cape Porpyes Islands a good ffishing place, where are Severall Families settled, and 4 miles from thence is Wells a handsome and well peopled place Lying on both sides of a River, for which Place a Patent was long since Granted to on M<sup>r</sup> John Stratton but now Commanded by the Massachusets.

*Bristoll now Yorke.*—About 12 miles further is the River Agomentine, for which and the lands adjacent a Patent was (nere 30 yeares since) granted unto S<sup>r</sup> Ferdinando Gorges, M<sup>r</sup> Godfrey, Alderman ffoote of Bristoll myselfe, and some others, On the northside of this River at our great Cost and Charges wee settled many ffamilies, which was then called Bristoll, and according to the Patent, the Government was conformable to that of the Corporation of Bristoll, only admitting of Appeales to the Generall Court for the Province of Mayne which was often kept there, but some yeares since the Government with the rest was Swallowed up by the Massachusets.

*Nichiquiwanick.*—About 3 miles from Agomentine is the River Pascataway which is 6 miles from the mouth, It brancheth itselfe in two Branches, the South branch of which retaineth the name of Pascataway the other Nichiquiwanich, on the Northside of this River there are severall Divisions of Land granted long since by Patents unto diverse persons as Cap Mason, Cap<sup>t</sup> Griffith, M<sup>r</sup> Gardener and others, on which are severall persons settled for 12 miles together. At the Falls of Nichiquiwanick 3 Excellent Saw-Mills are seattad and there and downward that side of y<sup>e</sup> River have been gotten most of the Mast which have come for England, and amongst the rest that admired Mast

which came over some time last year containing neere 30 Tunēs of Timber (as I have been informed).

*Cochequo.* — On the Sowth side of that Branch is a Creeke Cochequo, whereon at the head are 2 Saw Mills, and afford good Masts, & Much Tarr hath been made on that Creeke side.

*Dover.* — Belowe where the River parteth stands on a Tongue of Land the Towne of Dover, for which place and the land adjacent some gentlemen of or about Shrewsbury have a Patent.

*Oyster Creeke.* — On the Northside of the South Arme is Oyster Creeke on which place are many people settled some Saw Mills and affords yow Good Masts, and further up is another Saw Mill on Lanperell Creeke.

*Exeter.* — Above this at the fall of this River Pascatoway is the Towne of Exceter, where are more Saw Mills, doune the Southside of this River are Farmes and other Stragling Families.

*Strawberry Bank.* *The Great House & Isle of Shooles.* — Within 2 Myles of the Mouth is Strawberry Banke where are many Families, and a Minister & a Meeting House, and to the meeting Houses of Dower & Exceter, most of the people resort. This Strawberry Banke is part of 6000 acres granted by Patent about y<sup>e</sup> yeare 1620 or 1621, to M<sup>r</sup> David Thompson, who with the assistance of M<sup>r</sup> Nicholas Sherwill, M<sup>r</sup> Leonard Pomery and M<sup>r</sup> Abraham Colmer of Plymouth Merchants, went ower with a Considerable Company of Servants and built a Strong and Large House, enclosed it with a large and high Palizado and mounted Gunns, and being stored extraordinarily with shot and Ammunition was a Terror to the Indians, who at that time were insulting over the poor weake and unfurnished Planters of Plymouth. This house and ffort he built on a Point of Land at the very entrance of Pascatoway River, And haveing granted by Patent all the Island bordering on this land to the Midle of the River, he tooke possession of an Island comonly called the great Island and for the bounds of this land he went up the River to a point called Bloudy Point, and by the sea side about 4 milles he had also power of Government within his owne bounds, Notwithstanding all this, all is at this day in the power and at the disposall of the Massachusitts. Two Leagues of lyes the Isle of Shooles one of the best places for ffishing in the land, they have built a Church here and maintaine a Minister.

*Hampton.* — Eight Miles to the Southward of Pascatoway is a small River called Monoconock, on which River is a large Town called Hampton, The inhabitants living weell by Corne and Cattle, of which they have great store, Ther was a Patent granted for this very place to Cap<sup>t</sup> Mason neare 40 yeares agoe & this was the first land the Massachusitts stretcht there line over beyond there true bounds: For about 3 miles South of this place, at there first coming over they sett up a house

and named it the bound House as finding it three miles from Meromack, the North bound of there Patent, and with this they rested contented for about 10 yeares.

*Salisbury New & Old.* — Seaven Miles to the Southward of Hampton is Meromack River, on the mouth of which on the Northside is seatted a Large Towne called Sallisbury, and 3 miles above it a Village called old Salisbury, where ther is a Saw Mill or two. The Commodities this Towne affords are Corne, Cattle, Boards and Piper Staues.

*Haverell Andover.* — Fouer Leagues up this River is Haverell, a pretty Towne & a few miles higher is the Towne of Andouer both these Townes subsist by Husbandry.

*Newbury.* — At the mouth on the southside of Meromack and upwards is seated the Towne of Newbury, the Houses stand at a good distance each from other a feild and Garden between each house, and so on both sides the street for 4 Miles or therabouts betweene Sallisbury and this Towne, the River is broader then the Thames at Deptford, and in the Sumer abounds with Sturgeon, Salmon and other ffresh water fish. Had we the art of takeing and saveing the Sturgeon it would prove a very great advantage, the Country affording Vinager, and all other Materialls to do it withall.

In this Towne and old Newbury adjoining are 2 Meeting Houses.

*Rowley.* — Three Miles beyound this Old Newbury is a large and populous Towne called Rowley about two miles from the Bay of Agawame within land the Inhabitants are most Yorkshiresmen very laborious people and drive a pretty trade, makeing Cloath and Raggs of Cotton Wool, and also Sheeps wooll with which in few yeares the Countrey will abound not only to supply themselves but also to send abroad. This Towne aboundeth with Corne, and Cattle, and have a great number of Sheep.

*Ipswich.* — Three Miles beyond Rowley lyeth Ipswich at the head of Agawame River, as farr up as Vessells cane come. It hath many Inhabitants, and there farmes lye farr abroad, some of them severall miles from the Towne. So also they do about other Townes.

*Wenham.* — Six Miles from this Towne lyeth a Towne called Wenham seated about a great Lake or Pond which abounds with all manner of ffresh ffish, and such comodities as other places have it affordeth.

*Gloucester.* — Between these two Townes there runes out into the Sea that noated head land called Cape Ann fower miles within the outermost head. There is a Passage cutt through a Marsh between Cape Ann Harbo' & Manisqwanne Harbour where stands the Towne called Gloucester very comodious for building of shipping and fishing.

*Manchester.* — Fower miles Westward from Gloucester, lyeth on the Sea side a small Towne called Manchester, there is a Sawmill and abundance of Timber.

*Mackrell & Basse Cove.* — About six miles from this Towne lyeth by the Sea side a Village Called Mackarell Coue, and a mile or 2 above on a Branch of Salem River lyeth another Village called Basse Coue, These two have Joynd and built a Church, which stands between them both ower ag<sup>t</sup> Salem.

*Salem.* — On the South side of Salem River stands on a peninsula the Towne of Salem, settled some yeares by a few people befor the Patent of the Massachusits was granted. It is very commodious for fishing, and many Vessells have been built there and (excep<sup>t</sup> Boston) it hath as much Trade as any place in New England both inland and abroad.

*Marblehead or Foy.* — Two miles below this Towne on the Southside of the Harbo<sup>r</sup> by the sea side lyeth Marblehead or ffoy the greatest Towne for fishing in New England.

*Lynne.* — Five miles Westward lyeth the Towne of Lynne along by the sea side, and two miles above it within the bounds of it are the greatest Iron works erected for the most part at the charge of some Merchants, and Gentlmen here resideing and cost them about 14000£, who were as it is conceived about six yeares since Injuriously outted of them to the great prejudice of the Country and Owners.

*Reading.* — Three miles above the Iron Worke in the Country is a pretty Towne, called Reading, which as all inland Townes doe live by Husbandry. The people have employment also at the Iron work in digging of myne, and cutting of wood.

*Rumney Marsh.* — Two miles from the Ironwork by the Sea side is a large Marsh called Rummney Marsh and between that and Winnisime being about 2 miles, There are many good farmes belonging to Bostone, which have a Metting House, as it were a Chapel of Ease.

*Winnisime.* — Two miles Sowth from Rumney Marsh on the North side of Mistick River is Winnisime which though but a few houses on it, yet deserves to be mençond One house yet standing there which is the Antientest house in the Massachusetts Government. a house which in the yeare 1625 I fortified with a Pillizado and flankers and gunnes both belowe and above in them which awed the Indians who at that time had a mind to Cutt off the English, They once faced it but receiveing a repulse never attempted it more although (as now they confesse) they repented it when about 2 yeares after they saw so many English come over.

*Mauldon.* — Two miles above Winnisime Westward stands a small Country Towne called Mauldon, who imploy themselves much in furnishing the Towne of Boston and Charles Towne with wood, Timber and other Materials to build withall.

*Wooburne.* — Fower or five miles above Mauldon West is a more considerable Towne called Wooburne, they live by furnishing the Sea

Townes with Provisions as Corne and Flesh, and also they furnish the Merchants with such goods to be exported.

*Charles Towne.* — One mile from Wiinnisime crossing Mistick River is the Towne of Charles Towne standing on the Northside of the Mouth of Charles River, It Challengeth the second place of Antiquitie in the Massachusetts Government. It hath some considerable Merchants in it and many usefull handicraftsmen and many good farmers belonging to it.

*Cambridge.* — Three miles above this stands on the same River the Towne of Cambridge in which there is a Colledge a Master and some Number of Students belonging to it; out of which there have come many into England, The Towne hath many great ffarmes belonging to it.

*Water Towne.* — Joyning to this is Watter Towne, a great Towne reaching by y<sup>e</sup> River Side two miles, and hath belonging to it very many and great ffarmes, about the uper end of this Towne are the ffalls of Charles River.

*Concord.* — Above Twelve miles above Watter Towne is an In-land Towne called Concord It lyeth on the River Meromack I conceive about 20 miles above the first ffalls but good passing on it there in small Boats from place to place. They subsist in Husbandry and breeding of Cattle.

*Sudbury.* — About 4 or 5 Miles more Southerly on the same River is a Towne called Sudbury a very pleasant place, the River runing to & againe in it, In which I have seen Excellent fishing both with hooks & Lynes and Netts, They plant and breed Cattle, and gett something by Tradeing w<sup>th</sup> the Indians.

*Nashoway.* — About ten or twelfe miles above these Two Townes is a Countrey Towne called Nashoway first begun for Love of the Indians Trade, but since the ffertility of y<sup>e</sup> Soyle and pleasantness of the River hath invited many more. There is Excellent Salmon and Trout.

Now we must returne to the mouth of Charles River againe or rather the entrance of the Bay of Massachusits, It hath three entrances, two of them difficult and dangerous without a good wind and Pylot. The Southermost called Nasascot in the usuall Channell; w<sup>in</sup> this Bay are 12 or 13 pretty Islands between some of which yow must saile about 2 leagues before yow come up to Boston Rode yow must passe within halfe a Cable lenth of Castle Island, on which is a ffort above and a strong Battery below, closs by Highwater marke. on this Island I conceive there be thirtie good Gunns.

*Boston.* — Two miles above this Island is the Towne of Boston. the Metropolis of New England lying pleasantly on a plaine and the ascending of a High Mount which lyes about the midle of y<sup>e</sup> plaine, The wholl Towne is an Island except two Hundred paces of land at one

place on the Southside it is large and very populous. It hath two handsome Churches in it, a handsome market place, and in the midst of it a Statehouse. In the Towne are fouer full companys of floote and a Troope of horse. On the Southeast side of the Towne on a little Hill there is a Fort, and under it a Batterie both having a dozen of Gunns or more in them, and on the Northeast side of the Towne there is a Battery of 6 Gunns commanding the Rode and the entrance of Charles River. and on the tope of the Hill aboue the Towne and in the strats are severall good Gunns. The Towne is full of good shopps well furnished with all kind of Merchandize and many Artificers, and Trad's men of all sorts. In this Towne are kept the Courts of Election y<sup>e</sup> Generall quarter Court besids the Country Courts.

*Roxberry.* — About two miles to the Southward of Boston is the Towne of Roxberry. The sea which surrounds Boston comes on both sides of it. It is well seatted, for the Body of the Towne lyeth on both sides a small Rivolet of water. There are many considerable farmes belonging to it, and by Farmeing is there most subsistance.

*Dorchester.* — Two miles near east from this Towne lyeth Dorchester, which claimes the third dignity as being y<sup>e</sup> third Towne settled by the English in the year 1630. They are a very industrious people, and have large bounds on w<sup>ch</sup> are many gallant Farmes, by these bounds runes the Massachusetts River.

*Dedham.* — And on Charles River stands the Towne of Dedham about 8 Miles either from Boston or Roxberry, a very pleasant place and the River affords plenty of good fish. In this Towne leiveth many Bisquett makers and Butchers and have Vent enough for their Commodities in Boston.

*Medfeild.* — Five or six Miles from Dedham is a small in-land Towne called Medifield handsomly seatted for Farming and breeding of Cattle.

*Braintree.* — Three or fouer miles Southward is a Towne once called Mount Wollaston, now Braintree. There was a Patent granted for a considerable tract of land in this place in the yeare 1632 or thereabouts to Cap<sup>t</sup> Wollaston and M<sup>r</sup> Thomas Morton. Wollaston returned for England and Morton was banished, his house fired before his face, and he sent prissoner to England but for what offence I know not who some yeares after (nothing being laid to his Charge) returned for New England, where he was soon after apprehended and kept in the Common Goale a whole winter, nothing laid to his Charge but the writeing of a Booke entituled New Canaan, which indeed was the truest discription of New England as then it was that euer I saw. The offence was he had touched them too neare they not proving the charge he was sett loose, but soone after dyed, having as he said and most believed received his bane by hard lodging and fare in prison. This was done by



y<sup>e</sup> Massachusetts Magistrats and the land by them disposed of. It subsists by raising provisions, and furnishing Boston with wood.

*Weymouth.* — Two or three miles from hence Southward is y<sup>e</sup> Towne of Weymouth, wherein are some quantity of Inhabitants, & leive as their neibo<sup>r</sup>s who have commerce with Boston.

*Higham.* — Three Miles from hence Easterly on the South shoare of Massachusetts Bay is the Towne of Higham a handsome Towne supplying Boston also with wood, timber, leather and board, Some Masts are had there and store of provisions.

*Hull.* — Three Miles further tending more to the East, at the very entrance into the Massachusetts Bay is the Towne of Hull, the Inhabitants of which leives well being by Water not above 7 Miles from Boston tho neare 20 by land.

Three miles South from this place is the utmost south bounds of the Massachusetts Government and Territories, beyond which they have not gone although they have gone soe farr beyond them to the Northward.

Before I enter into Plymouth bounds I must say something of this Government which hath ouertopped all the rest.

About the yeare 1626 or 1627 there was a Patent granted by his Maty<sup>m</sup>: Royall Father of ever blessed Memory to certaine Gentlemen and Merchants, for the Tract of land befor men<sup>d</sup>ed, and power given them by the same to incorporate themselves into a body polittick the Governor and all other officers to be Annually chosen by the Majo<sup>r</sup> part of the inhabitants, freholders, As soon as the grant was confirmed, they chose here on M<sup>r</sup> Mathew Craddock Governo<sup>r</sup> and one Goffe deputy; They forthwith sent over one M<sup>r</sup> Endicott, Governor<sup>1</sup> as deputy to rule over us the Inhabitants which had leived there long befor their Patent was granted, and some had Patents preceeding theirs, had he had power according to his will he had ruled us to y<sup>e</sup> purpose; But within two yeares after they sent over one M<sup>r</sup> John Winthrop Governor and with him a Company of Assistants all Chosen here in England without the Knowledge or Consent of them that then leived there or of those which came with them.

This Governo<sup>r</sup> and his Councill, not long after their Aryvall made a law that no man should be admitted a Freeman, and soe Consequently have any voyce in Election of Officers Civill or Military, but such as were first entered into Church covenant and brought Certificate of it, let there Estates, and accordingly there portion of land be never soe great, and there taxes towards publick Charges. Nor could any competency of Knowledge or Inoffensiveness of liveing or conversation usher a man into there Church fellowship, unless he would also

<sup>1</sup> This word "Governor" was interlined over the word "as," and unfortunately no caret mark made to show its intended place.



acknowledge the discipline of the Church of England to be erroneous and to renounce it, which very many never condescended unto, so that on this account the far great Number of his Majesties loyall subjects there never injoyed those priviledges intended by his Royall ffather in his Grant, And upon this very accompt also, if not being Joyned in Church ffellowship many Thowzands have been debarred the Sacrament of the Lords Supper although of Competent knowledg, and of honest life and Godly Conversation, and a very great Number are unbaptized I know some neer 30 years old, 7 persons of Quality about 12 years since for petitioning for themselves & Neighbo<sup>r</sup> that they might have votes in Elections as ffreeholders or be ffreed from publick Charge, and be admitted to the Sacrament of the Lords Supper and theire Children to Baptisme as Members of the Church of England, and have liberty to have Ministers among themselves learned pious and Orthodox, no way dissonant from ye best Reformation in England, and desiringe alsoe to have a body of Lawes to be Established and published to prevent Arbitrary Tiranny, For thus desiringe these three reasonable requests besids imprisonment and other indignitys, they were fined 1000<sup>li</sup>, a Notw<sup>st</sup>anding they Appealed to England, they were forced to pay the same, and now also at great Charges to send one home to prosecute their appeall which proved to no Effect, That dismall Change falling out, Just at that time And they sending home hither one Edward Winslow a Smooth toungued Cunning fellow, who soon gott himselfe into Favo<sup>r</sup> of those then in Supreame power, against whom it was in vaine to strive, and soe they remained sufferers to this day.

By what I have said it appears how the Major part of the Inhabitants are debarred of those Priviledges they ought to enjoy and were intended fo<sup>r</sup> them, How they Esteem of the Church of England. How farr they owne his Matie as haveing any power over them, or their Subjection to him; This I know that not long after they arrived they defaced the Collou<sup>r</sup> which they brought over with them, being the English Redd Cross terming it a badge of the Whore of Babelon.

And not long after haveing received a Report that his Mat<sup>ty</sup> intended to send a Generall Governo<sup>r</sup> over, and being informed by a Shallop that they had seen a great shipe and a smaller one goe into Cape Ann Harbo<sup>r</sup> about 8 Leagues from Boston There was an Alarme presently given and early in the Morning being Sabbath day all the Traine Bands in Boston, and Townes adjacent were in Armes in the streets and posts were sent to all other places to be in the same posture, in which they continued untill by theire scouts they found her to be a small shipe of Plymouth and a shallope that piloted her in, The generall and Publick report was that it was to oppose the landing of an Enemie a Governo<sup>r</sup> sent from England, and with this they acquainted the Commanders.

And about the year 1636 one Brooks hearing one Evers to vilifie the

Government of England both Civill and Ecclesiasticall, and saying that if a Generall Governo<sup>r</sup> were sent over he would kill him if he could, and he knew the Magistrats would bear him out in it, of which Brooks complaining by way of Information, the matter was handled that Evers had nothing said to him, and Brookes forced to escape privately for England

They also in the yeare 1646 & 1647 suffered a ship the Mary of Bristol then standing out for the Kings Majestie to be taken by one Staggs haveing a Commission from the Parliament, and conveyed away although they had promised them a protection. They also Ordered the takeing downe of the Kings Armes and setting up the States, & the like by the Signe of the Kings head hanging before the doore of an Inne. And when that unhappy warr was between King and Parlia<sup>t</sup> they compelled every Commander of a Vessell that went out from thence to enter into Bond not to have any Commerce with any place then holding out for the King, and in opposition to the then pretended power in England, Nor was there ever any Oath of Alleageance offered to any, but instead thereof they have framed two Oathes, which they impose on those which are made free. The other they terme the Oath of fidelitie, which they force all to take that are above 16 yeares of age, a Coppy of it is as followeth —

I. A. B. by Gods providence being an Inhabitant within the Jurisdiction of this Comon Wealth doe freely and sincerely acknowledge myselfe to be subject to the Government thereof. I doe hereby swear by the great and dreadfull name of the ever liveing God, that I will be true and Faithfull to the same, and will accordingly yeild assistance thereunto with my person, Estate, as in equity I am bound And will also truly endeavor to maintaine and preserve all the Liberties and priviledges thereof. Submitting myselfe unto the wholesome Lawes made and established by the same. And further that I will not plot or practize any evill against it or consent to any that shall soe doe But will timely discover and reveall the same to Lawfull Authority now here established for the speedy preventing thereof. So HELP ME GOD IN OUR LORD JESUS CHRIST.

By this it may be judged what esteeme they have of the lawes of England, swearing their subjects to submite to lawes made only by themselves, And indeed to Alleage a Statute Law of England in one of their Courts would be a ridiculous thing. They likewise long since fell to coyning of monies, melting downe all the English Coyne they can gett, every shilling makeing 15<sup>d</sup> in their monies, And whereas they went over thither to enjoy liberty of Conscience, in how high a measure have they denied it to others there wittnesse their debarring many from the Sacraments spoken of before meerly because they cannot Joyne with them in their Church-fellowship, nor will they permitt any Law-

full Ministers that are or would come thither to administer them. Wittness also the Banishing so many to leave their habitations there, and seek places abroad elsewhere, meerly for differing in Judgment from them as the Hutchinsons and severall families with them, & that Hon<sup>ble</sup> Lady the Lady Deborah Moody and severalls with her meerly for declareing themselves moderate Anabaptists, Who found more favour and respect amongst the Dutch, then she did amongst the English, Many others also upon the same account needless to be named, And how many for not coming to their assemblies have been compelled to pay 5<sup>s</sup> a peece for every Sabbath day they misse, besides what they are forced to pay towards the maintenance of the Ministers, And very cruelly handled by whipping and imprisonment was M<sup>r</sup> Clark, Obadiah, Holmes, and others for teaching and praying in a private house on the Lords day, These and many other such like proceedings, which would by them have been judged Cruelty had they been inflicted on them here, have they used towards others there; And for hanging the three Quakers last yeare I think few approved of it.

There are or will come unto the Hon<sup>ble</sup> Councell many Complaints against them, I shall say no more but come to

*The Description of Plymouth bounds.*

*Connahassett.* — It begins where the Massachusetts ends. Three miles to the Southward of the Massachusetts Bay, where (neere by y<sup>e</sup> sea side) there stands a Village called Connahasset eight miles further there is a small River comes out, and a reasonable harbour at the mouth of it.

*Scytuate.* — On both sides is a Towne called Scytuate.

*Greenes-harbour.* — From Scituate by ye sea side is a considerable Town called Greens Harbour, a Towne well meadowed & good farmes belonging to it. It is 7 miles from Scytuate.

*Ducksbury.* — Seauen or eight miles from this Towne is Ducksbury which is also a good plantation and affords much provision, which they sell at Boston for the most part.

*New Plymouth.* — Three or Fower miles Southward of this is ye Towne of New Plymouth whence the Government took its Denomination This place was seated about y<sup>e</sup> yeare 1620 or 1621 by a company of Brownists, which went formerly from England to Amsterdam, and not beeing able to live well there, they drew in one M<sup>r</sup> Weston, and some other Merchants in London to Transport them and their Families into those Westerne parts; They intended for Virginia, but fell with Cape Cod als Mallabar, and gott into the Harbour of it, and finding it not fitt for Habitation, sought further and found this place and there settled liveing extreame hardy for some yeares and in great danger of the Indians, and could not Long have subsisted, had not Plymouth Merchants settled Plantations about that time at Monhegon and Pascattaway, by whom they were supplied and the Indians discouraged from assaulting

them It is a poor small Towne now, The People being removed into Farmes in the Country.

*Sandwich.* — Eightene Miles more Southerly from Plymouth is a good Towne called Sandwich a Towne which affords good store of Provisions, and some yeares a quantity of Whalebone made of Whales which drive up dead in that Bay.

*Barnstable.* — Twelve Miles from Sandwich is Barnstable a Towne much like it and affords the same Commodities.

*Yarmouth.* — Seaven miles from Barnstable south east is the Towne of Yarmouth, much like the former, and had in it as the rest have good farmes about it, and sometimes also good benefite by drift Whales.

*Billingsgate.* — Six miles east of this Towne is Billingsgate which lyes in y<sup>e</sup> Southeast nooke of Cape Codd Bay, and from thence to the Sea on the South side of the s<sup>d</sup> Cape, it is a very litle way whereas to goe about is neare 20 Leagues which in tim will make it more convenient for Trade.

Almost South some what Westerly from Billingsgate is Natuckett Island on which many Indians live and about ten leagues west from it is Martines Vinyard, whereon many Indians live, and also English. In this Island by Gods blissing on the Labour, care and paines of the two Mayhews, father and sonn, the Indians are more civilized then anywhere else which is a step to Christianity, and many of them have attained to a greate measure of knowledge, and is hoped in a short time some of them may with joy & Comfort be received into the Bossome of the Church, The younger of those Mayhews was drowned comeing for England three yeares since, and the Father goes on with the worke, Although (as I understand) they have had a small share of those vast sumes given for this use and purpose of y<sup>e</sup> Revenues of it It were good to enquire how it hath been disposed of I know in some measure or at least suspect the bussines hath not been rightly carryed.

*Rhode Island.* — From this Island to Rhode Island is about Seaven Leagues west, This Island is about ffouerteen miles Long, in some places 3 or 4 miles Broad, in other lesse. It is full of people haveing been a receptacle for people of severall Sorts and Opinions.

*Warwick Providence.* — There was a Patent granted to one Coddington for the Government of this Island, and Warwick and Providence two Townes which lye on the maine, And I think they still keepe a seeming forme of Government but to litle purpose, none submitting to Supream Authority but as they please.

*Rehobah.* — Some three miles above Providence on the same River, is a Towne called Rehobah, and is under the Government of New Plymouth, a Towne not dispicable. It is not aboue 40 Miles from Boston, betweene which there is a Comone trade, carrying & recarrying goods

by land in Cart and on Horseback, and they have a very fayre conveyance of goods by water also.

*Taunton.* — About ten miles from this eastward is Taunton lying on another River within Rhode Island about 20 Miles up, It is a pleasant place, seated amongst the Windings and turnings of a handsome River, and hath good conveyance to Boston by Cart not being above 30 Miles assunder, here is a pretty small Iron-worke, & is under New Plymouth Government.

*Pequate.* — Haveing gone through New Plymouth Government we come next to Counecticot Government. The first that was under this Government was Pequate, betweene w<sup>ch</sup> and Rhods Island it is above 18 leagues,

In the faire Narragansitt Bay, and diverse fine Islands

*Fishers Island.* — Before the Pequate River lyes Fishers Island, on which some people live, and there are store of Cattle. This Pequat Plantation will in time produce Iron, And in the country about this is a Myne of Black Lead, and supposed there will be found better if not already by y<sup>e</sup> industry of that ingenious Gentleman M<sup>r</sup> John Winthrop. It hath a very good Harbour, farr Surpassing all there about Connecticut River mouth to Pequate it is about eight Leagues.

*Saybrooke.* — On the South-west side of the entrance of this River stands Saybrooke and Saybrooke Fort, a handsome place and some Gunns in the Fort.

*Metaboseck.* — Fifteene Leagues up the River on the same side is the Plantation of Metaboseck, a very good place for Corne and Cattle.

*Witherfeild.* — From Metaboseck to Withersfeild a large & Populous Towne, it is about 9 miles.

*Hartford.* — From Withersfield to Hartford the Metropolis of the Government, it is about 3 Miles, it is a gallant Towne, and many rich men in it

*Windsor.* — From Hartford to Windsor 9 Miles, this was the first Towne on this River, settled first by people issuing from Dorchester in the Massachusetts Bay about the year 1636

*Springfeild.* — From Windsor to Springfield about 12 miles, and the first falles on Connecticut River are betweene these two Townes, This is the Massachusetts bounds.

And above Springfeild 8 Miles is another Towne at first Intended hut for a trading house with the Indians, but the gallant Land about it hath invited men to make it a Toune This Connecticut River is a great River before y<sup>e</sup> Towne bigger then the Thames above bridge, This Towne is also in the Massachusetts bounds and under its Government although 8 Miles from it

*Guilford.* — Now we must returne to the Mouth of the River and so along by the sea side; and first from Saybrooke to Guilford 12 Miles.

*Tocott.* — From Guilford to Tocott 9 Miles. These two Townes are under Newhaven Government

*Newhaven.* — From Tocott to Newhaven it is 7 Miles. This Towne is the Metropolis of that Government, and the Government tooke its Name from this Towne; which was the first built in those parts, many stately and costly houses were erected the Streets layd out in a Gallant forme, a very stately Church; but y<sup>e</sup> Harbour proveing not Comodious, the land very barren, the Merchants either dead or come away, the rest gotten to their Farmes, The Towne is not so glorious as once it was.

*Milford.* — From Newhaven to Milford it is about 10 Miles, This Towne is gotten into some way of Tradeing to Newfoundland, Barbados, Virginia, So also hath some other Townes in this Government

Now in Course comes in againe some  
Townes in Connecticott Government

*Stratford.* — From Milford to Stratford about 4 Miles

*Fairfeild.* — From Stratford to Fairfeild about 8 Miles

*Norwoc.* — From fairfeild to Norwoc about 14 Miles and this Towne with those last named are in Connecticott Government. I suppose this skipped over Newhaven, being they came from those Townes in Connecticott River.

*Stamford.* — From Norwoc to Stamford 8 Miles

*Greenwich.* — From Stamford to Greenwich miles, these two last Townes are under Newhaven Government, and there was another place begunn and much done in it, but the Dutch came and tooke it by force, and since the people of this Towne call it New Chester,

There are some Townes on Long Island which have come some under the Government of Connecticot, and some of Newhaven; We are now come about 25 Miles within the Dutch plantation, which before I speake of I shall runn over ye plantations on Long Island, and shew under what Government they are begining at the west end. The Island contains in Lenth about 150 Miles, and lyes not farr from the Mayne, especialy at the west end where it is very narrow, The plantationes are all on the inside, the Sea board syde being a dangerous Coast and no Harbour at all on that syde.

Within a few Miles of the West end over against Manhata, which is the Dutch's Chiefe Towne is seated Gravesend, most English, the Lady Moody being the first Setler, Some Dutch there are, and all under the Dutch Government.

Then Mispach kell

Then Midleburgh als New Towne

Then Vlishing

Then Hempsteed

Then another Towne by the Dutch name

} These Townes are  
under y<sup>e</sup> Dutch  
Government



Then follow to the Northward

First Oyster Bay under Newhaven Government  
 Huntington not submitting to any Government  
 Then Sotocot Likewayes Submitting to none  
 Nex<sup>t</sup> Southampton under Newhaven Government  
 Nex<sup>t</sup> South-hole also under Newhaven

} These Townes  
 belong to  
 y<sup>e</sup> English.

Then crossing a Bay but 12 Miles (but to round it, it is much more) is Northampton. This Towne is under Connecticott Government. And then Easthampton under no Government

I suppose these two Governments of Connecticott, and Newhaven, are only by Combination, I never heard of any Patent they have, and they are 'also in Confederacie with the Massachusetts, and New Plymouth, each of these 4 Governments annually choosen two Comissioners to meet and Consult as occasion may serve; their power lasting for one yeare. These meetings prove chargeable, and as it is conceived of many of no great use.

Tis well knowen the Dutch plantation had been taken by those two Southerne Collonies helpe, and the English on Long Island when Majo<sup>r</sup> Sedgwick was sent to take it who putting back for Fyall news came by one of his Fleet that his designe was for that place; These afforsaid Comissioners mett at Boston, where some weeks were spent in Contest betweene the Commissioners of the two Southerne and Northern Collonies. Those of the South Colonies were for proceeding with expedition on the designe, The Comissioners of the North were dayly crying out for Orders or leave to goe on. But those of Plymouth being Mungrell Dutch, and some of the Grandees amongst them haveing a sweet trade with the Dutch or debts oweing to them, from them; And those of the Massachusetts haveing some other by-reason for it so long held out the dispute till it was to late the peace being concluded.

There lye between this Long Island and the Mayne severall Islands, the most Considerable is Shelter-Island, about 8 miles in lenth and three in breadth, This belongs to Collonell Thomas Midleton and M<sup>r</sup> Silvester, on which they have some people & store of Catle.

Another considerable Island lyes by it of about 6 Miles in Lenth, and three in Breadth.

Now before I come to speak of Hudsons River, I shall most humbly desire the Hon<sup>ble</sup> Councill to take it in consideration the great beneficia and profitts, which may redound to the English by these Western Colonies if well managed. Of their present condition I have given a breife accompt in my foregoing Relation, being my observations which for severall yeares I have spent in America, even from the year 1624 till within these two yeares last past:

For Newfoundland, it is well known what a great Number of Shippes and Seamen have been there employed annually I dare averr it hath



bredd more Seamen then any Trade the English ever medled withall & what profitts the Owners and Merchants have gott by that Trade is unvaluable, And if a course were taken we might now have salt from the English Collonies in the West Indies, and provision from New England to carry on a greatt part of the designe, and on better termes then out of Europe.

On all the Coasts of Canada from Cape Britton to Cape Sable is Excellent fishing and full of good Harbours

On the Coast within Cape Sable, as in Nova Scotia, Port Royall, and those other fforts now in possession of Collonel Temple is mutch Beaver & other Peltry gotten, and more might be if fully Stocked

And for the Southern part of New-England, It is incredible what hath been done there

In the yeare 1626 or thereabouts there was not a Neat Beast Horse or sheepe in the Countrey and a very few Goats or hoggs, and now it is a wonder to see the great herds of Catle belonging to every Towne I have mentioned, The braue Flocks of sheepe, The great number of Horses besides those many sent to Barbados and the other Carribe Islands, And withall to consider how many thousand Neate Beasts and Hoggs are yearly killed, and soe have been for many yeares past for Provision in the Countrey and sent abroad to supply Newfoundland, Barbados, Jamaica, @ other places, As also to victuall in whole or in part most shipes which comes there.

Betweene the years 1626 and 1633, Indian Corne was usually sold at 10<sup>s</sup> or 12<sup>s</sup> the Bushell, now not esteemed worth 2<sup>s</sup>. Beefe and Porke then Brought from England and Irland sold at excessive rates.

At that time all the Houses there, except three or fower at New Plymouth, and those which I had could not be valued worth 200<sup>lb</sup>, and now to behold the handsome Houses & Churches in so many Townes as I have named is a wonder, And the place in which Boston (the Metropolis) is seated, I knew then for some yeares to be a Swamp and Pound, now a great Towne, two Churches, a Gallant Statehouse & more to make it compleate, then can be expected in a place so late a wilderness.

And wheras about the time before mentioned wee could not make in all three Hundred men in the whole Countrey, those scattered a hundred and fiftie Miles assunder, Now almost every Towne which I have named is able to bring into the feild a full Company of Foote and some Horse, some Townes two or three Companies compleate with Horse proportionable and Boston more

And the great abundance of English Fruite, as Apples, Pears, Apricocks, Plumbs, Cherries Musk-Mellons, Water-Mellons &c. is not to be beleaved but by those that have seene it

And about those times also there were not within the now Great

Government of the Massachusetts above three Shallops and a few Cannoes, Now it is wonderfull to see the many Vessels belonging to the Country of all sorts and seizes, from Shippes of some reasonable burthen to Skiffes and Cannoes, many other great Shippes of Burthen from 350 Tunns to 150 have been built there, and many more in time may be, And I am confident there hath not in any place out of so small a number of People been raised so many able Seamen and Commanders as there hath been.

Now we returne to Hudsons River, in the mouth of which lyeth y<sup>e</sup> Island Mahatas, on which stands now Amsterdam in the Latitude of 41 degrees and about 41 Leagues up the River is their Fort Oranja in the Latitude of 42 &  $\frac{1}{2}$  or thereabouts

I have alwayes understood that the first Settlement of the Dutch there was about the yeare 1618, @ were then a very considerable Number, and long after. And this was as I conceive some yeares after King James had granted all the lands and Islands betweene the Latitude of 40 degrees to 48 North Latitude, unto a Company established at Plymouth in Devon then nameing it New-England, so that Mahatas lyes a full degree within y<sup>e</sup> bounds of New England; and Fort Oranja their prin<sup>l</sup> place both for Trade with the Indians @ for Husbandry it lyeth two full degrees and an halfe within the bounds of New England

And about the year 1629 or 1630 Their Title to it being in question a rich ship coming from thence was seized on at Plymouth, as some now here can testify, which shipp and goods (as they say) was delivered up on the Dutch relinquishment of any Title they had or might have to the said Hudsons River And this seemes to be true, for in or about the year 1632 or 1634, a shipp set out from hence by M<sup>r</sup> Cloberry & Dellabar and others for New England, with passengers & goods & had also a Commission from his Mat<sup>ties</sup>: Royall Father to saile unto Mahatas @ as farr up into the River towards Fort Oranja as they could goe, and there trade with the Natives; which they did without any opposition, as the Masters yet liveing can testifie

From the uttermost part of Hudsons River to the North Cape of Delaware Bay, is somewhat above 20 leagues, and from this Cape to the entrance of the River is about 12 Leagues.

Here the Sweedes some yeares since built a Fort and five Leagues above that a Sconce, and three Leagues above that another Fort, and 2 Leagues above that another.

And hereabout the River trends away so much easterly that betweene that @ Hudsons River it is not above 30 Miles. In this River hath been seated some English Families, but outed by the Dutch or Swedes.

For this place there was some yeares since a Patent granted to S<sup>r</sup> Edmund Ploydon, but by whom I know not, nor what is become of him or his Patent.

The entrance of this River is in 40 degrees And now I am come to the utmost Southwest bounds of New England which is a Country wherein the Rivers and Pounds affords variety of Fish and Beaver in Great abundance, The earth brings forth plentifully all sorts of Graynes, also Hemp @ flax, The Woods affords store of good Timber for building of ships Masts, Also Pitch and Tarre, The bowels of the earth yeilds excellent Iron Oare, and no doubt other Metalls if searched after.<sup>1</sup>

After finishing the reading of this paper, Mr. Hassam spoke of the great value of the labors of Mr. Waters; whereupon a committee, consisting of Messrs. Lee, Hassam, and Haynes, was appointed to consider what could be done to facilitate his researches.

Mr. C. C. SMITH said : —

While I was in London, a few weeks ago, I received from our associate, Mr. Winsor, a letter making some inquiries about a view of Boston in the British Museum.<sup>2</sup> A very cursory examination was sufficient to show that this was Price's well-known view, but in an earlier state of the plate than the copy belonging to this Society, or the copy in the library of the Antiquarian Society at Worcester. It fully confirmed the suggestion made by Mr. Winsor at our May meeting in 1880, that the view published in 1743 was a re-issue of an old engraving. In the Museum copy there is a dedication "To the Honble. Saml. Shute, Esqr., Capt. General & Govr. in Chief of His Majty's Provinces of the Massachusetts Bay & New Hampshire in New England, and Vice Admiral of the Same," signed by Thomas Selby and William Price. The copies heretofore known are dedicated to Peter Faneuil, and only the name of Price is subscribed to the dedication. It is evident that the Museum copy is one of the earliest impressions from the plate, which was engraved, without doubt, in 1724; and after it was printed this copy received some curious additions. The reference numbers 51, 52, and 53 are not printed from the plate, but are on a slip neatly pasted on the engraving. The spires of "Hollis Street Meeting, built 1731,"

<sup>1</sup> The foregoing paper has been compared with the manuscript in the British Museum, and is, we are assured, an exact transcript of it. Whether that is in the handwriting of Maverick, or is only a copy of his monograph, is not yet known. — Eds.

<sup>2</sup> King's Library, vol. cxx. No. 38 a.

"Trinity Church founded 1734," and "Lynds Street Meeting built 1736," to which these numbers are attached, are also pasted on; and some other additions have been made by pasting. It is to be hoped that an unaltered copy of the first edition of Price's view may yet be discovered.

The PRESIDENT laid before the meeting a printed circular from the Buffalo Historical Society, inviting members to attend the ceremonies at the re-interment of the Indian orator and statesman, Red Jacket, and of other distinguished Indian chiefs of the Six Nations, in Buffalo, October 9.

The PRESIDENT also read a letter from Mr. Henry S. Stone, of Providence, who offered to the Society for its acceptance the Brigade Book of the American army under General John Sullivan, during its encampment on Winter Hill, in 1775.

Mr. CHASE referred to the recent publication of documents, showing that General Samuel Parsons of the Continental army was a spy in the service of the enemy, and stated that it was possible that Major André was aware that among the officers of the court who determined his fate was another American general who, like Arnold, was a traitor to his country.

Mr. PORTER presented the Enlistment List of Company I of the Twentieth Regiment of Massachusetts Volunteers, under Captain W. F. Bartlett, in 1861.

Mr. YOUNG presented the commission of John Popkin as Lieutenant-Colonel of the Third Battalion of Artillery, to take rank as such from the 15th day of July, 1777, signed by his Excellency Samuel Huntington, President of the Congress of the United States at Philadelphia, and Benjamin Stoddert, Secretary of the Board of War. He stated also that in the original certificate of membership of the Society of the Cincinnati, which had been presented at a former meeting,<sup>1</sup> the name of this officer appears as Colonel John Popkins; and he read the following extracts from a manuscript account of the family, written by the Rev. John Snelling Popkin, D.D., for some years Professor of Greek Literature in Harvard College, which contains interesting historical facts, besides explaining the discrepancy already mentioned:—

"Before the war, and in the troublous times that preceded, the young men of Boston formed independent military companies, for

<sup>1</sup> *Ante*, p. 76.

learning and exercise. One was an artillery company of mechanics, whose skill was in demand at that time in the army. Another was of Grenadiers, and another of Cadets, which last were accounted the Gentlemen, and were commanded by John Hancock. They all appear to have been separated by the war; as was the Ancient and Honorable Artillery Company. I remember the revival of this last company after the war under Captain Bell, who had been nominal captain a number of years. General Henry Knox, I think, was Lieutenant of the Grenadiers; and for his ability and information and address was promoted to the chief command of all the artillery, four regiments, — Massachusetts, and I believe New York, Pennsylvania, and Virginia. He had been a bookseller and doubtless a reader, and showed some notion of engineering, and was in general a man of intelligence, and was in the esteem and confidence of General Washington.

"My parents were John and Rebecca Popkin. Both were born in Boston. He was in the army during the War of the Revolution. He entered at or near Cambridge in 1775, Captain of Artillery; and came out at West Point, in 1783, Lieutenant-Colonel of the Massachusetts Regiment, of which John Crane, of Boston, was Colonel, and William Perkins, of Boston, Major. The old Boston folks always called us Popkins; but we have always rejected the sibilant, hissing or buzzing letter. Where Washington Irving found his Alderman Popkins, in the 'Tales of a Traveller,' I know not; but his Italian host has the name more correctly, though he has somewhat *Italicized* the title: 'Milor — Almanno — Aldermanno Popkin — Popkin — Popkin — pop — pop — pop.'"

A new serial, containing the Proceedings from April to June inclusive, was laid on the table by the Secretary.

## NOVEMBER MEETING, 1884.

The stated meeting was held on Thursday, the 13th instant. The President being absent from the city, Dr. GEORGE E. ELLIS occupied the chair.

The Secretary's minutes of the last meeting were read and approved.

The Librarian's list of donations to the Library was presented, and special mention was made of an important collection of pamphlets relating to the Rebellion, which had been given by Mr. Amos A. Lawrence.

Colonel LEE, in behalf of the Committee on English Research,<sup>1</sup> reported that the services rendered by Mr. Henry F. Waters to the cause of historical research,—notably the recent discovery by him in England of the Winthrop map and the Maverick manuscript, two of the most valuable and interesting contributions made in relation to our early colonial history since the incorporation of this Society—well deserve recognition; and the Committee therefore recommend that they be authorized to receive from the treasury of the Society the sum of one hundred dollars a year, for three successive years, as a contribution towards the carrying on of this work.

The recommendation was adopted.

The Treasurer offered the following vote, which was passed:—

*Voted*, That the sum of six hundred dollars, being the income of the Massachusetts Historical Trust Fund for the year ending Sept. 1, 1884, be and is hereby appropriated toward the publication of a volume of Trumbull Papers, and that the words "Published at the charge of the Massachusetts Historical Trust Fund" be placed on the titlepage of the volume.

Dr. ELLIS then spoke as follows:—

We miss our honored President from his chair to-day, as he is absent on a brief visit to New York. Our regret at the loss

<sup>1</sup> *Ante*, p 249. — Eds.



of his presence, on rare occasions, is relieved only by our well-warranted expectations of receiving on his return some incidental fruits of his observation and experience.

By the usages of this Society the death of Mr. Ellis Ames, which occurred since our last meeting, would not be a subject of special notice by us to-day, as his name had just been withdrawn by him from our roll, on account of his bodily infirmities. But he had been so recently with us—his withdrawal, offered last winter, not having then been admitted by the Council, and allowed only with reluctance when renewed at our last meeting, while the vacancy has not yet been filled—that we cannot part with him without some expression of our esteem and regret. I recall the occasion when at a meeting of this Society Mr. Ames was proposed for membership by Chief Justice Shaw. He was elected Aug. 12, 1852. Very busy as he was with an extensive legal practice in this city and in a wide region round his home in Canton, largely in towns of the Old Colony, he was glad to be present at our meetings, where he was an interested listener when he was not entertaining us with some of his quaintly characteristic communications. He represented in the Society an element which, in its proportion, is needed as essential and becoming here. Dispensing with all graces of rhetoric and literary finish, he had a gift for exact statement and for curt utterance. He was one of those indispensable brethren in an historical and antiquarian fellowship, able and willing to search out a class of facts dry as the old records, without a particle of juice or fragrance, but giving to history a quality like toughness in parchment. As a commissioner for editing and publishing the formidable volumes of the Province Laws, his own single pair of eyes, with the keen instinct behind them, answered the uses of a thousand ordinary orbs of vision. Coming here with some of the pleasing rusticities of his country home in garb and mien and phrase and speech, his individuality brought to us pleasure and profit.

It gratifies this Society from time to time to recognize the more important contributions made to our history by our associates, whether coming through our own publications or through independent channels. The addition which our associate Mr. Parkman has just made to his admirable series of volumes under the general title of "France and England in



North America," is in itself a work which alone might well claim for him the highest tribute for ability, fidelity, comprehensive and diligent research, and a marvellous skill in narrative and descriptive writing. The work, bearing the names of "Montcalm and Wolfe," — the two heroic generals, who both fell on the field where they sustained, in defeat or victory, the glory and empire of France and England on this continent, — is one of high genius and of a unique interest. While the author has given to it the fruitage of forty years of continuous devotion and absorption of time and thought, in exploration by land and water, and in research in documentary archives, with his unequalled skill in woodcraft and in Indian life and lore, he has furnished himself for dealing with this crowning tragedy of his theme with the richest equipment of authentic materials of record. Private cabinets, especially some in France and England, which have heretofore been jealously guarded, have been opened confidentially to him by the noble representatives of prime actors in his history, as a tribute to his own high qualities for an able and impartial dealing with them. Thousands of folios of original official pages, still quick and warm with the burning conflicts and passions which make their tenor, have now for the first time been put to full service by him to clear up, rectify, and present with exact fidelity, some perplexed and critical subjects, till now only tentatively and superficially dealt with. The episode of especial interest in the work relates to the deportation of the so-called French Neutrals from Acadia. We have now offered to us a candid and truthful view of the occasions and processes of that tragic event. The share of Massachusetts in whatever was cruel or inevitably necessary in that incident comes through the engagement in it of our provincial forces auxiliary to the British Regulars, under the command of our Major-General John Winslow. It adds another cloud to the shadows resting on old Acadia, that though Winslow died the year preceding the outbreak of our Revolution, so many of his own nearest of kin, with thousands of our native Loyalists, driven from their homes, were forced to find a refuge in and near the regions whence the Acadians were removed.

I have received for presentation to this Society, through the hands of Miss R. M. Farnsworth, — a cousin of the late Mr.

Ebenezer Thayer, an old Bostonian, long a resident of Brooklyn, N. Y., where he died,—a china plate, enclosed in a richly ornamented frame, which has value as a relic. It comes to us from Mr. Thayer's executors, as directed by his will. The plate is one of a set presented to George and Martha Washington by a French officer whose name is now unknown, though it was not Lafayette. Some papers accompanying the gift would fully authenticate it if any such evidence were needed. Mr. Thayer himself received it from Mrs. Rosalie Eugenia Stuart Webster. It was given to her by the wife of her half-brother, George Washington Parke Custis, an adopted son of General Washington. Mrs. Webster was a daughter of Dr. David Stuart, of Virginia, who married the widow of Mr. Custis, whose children by her were thus half brothers and sisters of the Custis children. The plate shows in a circlet the names of fifteen of our States, including Vermont and Kentucky, richly entwined. It must, then, have been manufactured after June 1, 1792, when Kentucky was admitted into the Union. As Washington was elected for his second term as President in the autumn of that year, the present to him may have been made in recognition of his new honor. The entwined names of the States surround with a halo an illuminated monogram,—a large W and a small M,—surmounted by the legend, *Decus et Tutamen ab Illo*. The richness of the mounting shows the value attached to the relic, and is in keeping with its own beauty.

As the plate comes to our hands, an accident which had some time previously befallen it gives it a symbolical character. A fracture running from the top to the bottom divides the circle into two unequal parts, strangely corresponding, as it severs the names of the States, with the line marked between those which seceded and those which held to the Union. The line of fracture divides the name of Maryland nearly equally. This, too, is significant. Happily the fracture is firmly closed with cement and rivets.

Mrs. Webster has written, in a note accompanying this gift to us, that the only child of her brother "was robbed of Arlington by the President and Congress of the United States." But as this relic was not included among the stolen goods, we can have no scruple in gratefully receiving it with due acknowledgments.

Mr. Lord was appointed to prepare a Memoir of the late Mr. Williams Latham, which had been previously assigned to Mr. Ellis Ames, who left one in an unfinished state.

Communications from the Third Section having been called for, Mr. R. C. WINTHROP, Jr., said : —

I will take the opportunity to communicate, by title only, a series of letters written between 1653 and 1683 by members of the family of Sylvester. Gentlemen who read the "Daily Advertiser" may remember a long account of an interesting celebration on Shelter Island, in Long Island Sound, on the 21st of July last, commemorative of Nathaniel Sylvester, an English merchant who subsequently became a Quaker, and who was one of the early proprietors of Shelter Island, a portion of which is still in possession of descendants of his in the female line. On this occasion a monument was dedicated to him, and addresses were delivered by Professor Horsford, of Cambridge, and others. The President of this Society, remembering that he had seen Sylvester letters in the unexplored portion of the Winthrop Papers, recently suggested to me to examine them. I found nine letters from Nathaniel Sylvester aforesaid, one from his brother, Constant Sylvester, four from his brother Giles Sylvester, one from his brother Joshua Sylvester, a fragment of a letter from Grizzell Sylvester, wife of Nathaniel, and eleven letters from her son Giles Sylvester the younger; also a memorandum of certain clauses in the patent for Shelter Island, together with a scrap of paper indorsed "Capt. Sylvester's Agree," which gives a harrowing account of the periodic recurrence of what the writer terms "a most exceeding great payn in my stomach," which, I trust, has not proved hereditary.

These letters possess a considerable degree of personal interest, but are of little public importance, and I do not intend to read any of them to the Society. I am having them copied, however, and may select a few extracts for the next volume of Proceedings, if the Council see fit. The only passage I have thus far marked is illustrative of the early development in New England of a taste for genealogical and heraldic research. Under date of Shelter Island, Aug. 19, 1677, Giles Sylvester, Jr., writes Wait Winthrop : —

"The occasion of my giving you the trouble of this is that, having received two letters from Capt. Salisbury earnestly entreating me to send him a draught of a scutcheon borne by the name of Salisbury, which he chanced to have the sight of in Gwillim whilst I had the perusal of it, but, having returned the book to you, I cannot pleasure him, unless you will please to favor me with a copy of the same, mentioning its colours, by this bearer who returns shortly. Capt. Salisbury wants it to compare with his own lately sent to him from his sister in England. If there be any crest mentioned, please insert it."

As I am about to furnish the descendants of Nathaniel Sylvester with a file of family papers hitherto unknown, I feel at liberty to offer a gentle criticism upon the inscription they have seen fit to place on his monument. It is a long and intricate one, commemorating not merely Nathaniel himself and his predecessors and successors at Shelter Island, but also the sufferings of certain Quakers, male and female, who took refuge there, and some of whose descendants, represented by Professors Peirce and Dyer, of Harvard College, took an active part in the celebration. After a recital of the names of these Quakers, who are variously described on the monument as having been "despoiled, imprisoned, starved, whipped, banished, much-scourged, mutilated, branded, and maimed," the inscription proceeds: "The Puritan in his pride, overcome by the faith of the Quaker, gave Lexington and Concord and Bunker Hill to History." I may be very obtuse, but I have read this sentence over and over again without being able to grasp its meaning. I am not familiar with any evidence that the pride of the Puritan ever was overcome by the faith of the Quaker; nor am I able to understand how this alleged triumph of Quaker faith could have had any effect upon the battles of the Revolution. I do not wish to seem to disparage Quakers, — on the contrary, I have some personal reasons for thinking well of them, — but, so far as our Revolutionary struggle is concerned, I think we can fairly congratulate ourselves that the men who stood behind the redoubt on Bunker Hill and the bridge at Concord were not believers in the doctrine of non-resistance.

Before I sit down, I should like to add a few words of criticism upon another inscription on a still more recently erected monument to a more distinguished man of about the same period. The inscription on the base of John Harvard's

statue is as short as that on Nathaniel Sylvester's monument is long; but, like the latter, it presents an obscurity to my mind. It runs, "John Harvard — Founder — 1638." Now this date 1638 may have been intended to signify merely that John Harvard died in that year, and if the inscription had been, "John Harvard — Founder — died 1638," I should have had nothing to say; but it seems to me that the successive generations of students, whose eyes will rest with admiration upon this most successful work of art, must inevitably obtain the impression that the date 1638, following immediately upon the word "Founder," denotes the natal year of their Alma Mater. It is within my knowledge that strangers have already so interpreted it, and have been puzzled to reconcile the date 1638 with the distinct statement in the official catalogues of the University that this natal year was 1636. The accomplished man who presides over the destinies of the College has made sweeping changes there during his term of office, and is understood to contemplate many more. This inscription could hardly have failed to be submitted to him. — was, for aught I know, written by him, — and it may perhaps be an indication that he has made up his mind that the dates assigned by his predecessors are as faulty as was their system of instruction, and has decreed that the titlepage of the forthcoming Quinquennial Catalogue, due next summer, shall take a new departure. Whether this be so or not, my contention is that this time-honored natal year 1636, recognized, as it has been, not merely in University Catalogues, but by successive historians of the College, by successive historians of New England, and in all encyclopædias and works of reference, so far as I am familiar with them, is in danger of being overshadowed and cast into comparative oblivion by the new date, 1638, which now greets us on the Delta. Somebody may remind me that the seal of the College, as emblazoned on the north side of the pedestal of this same statue, also bears date 1638; but my answer to this is that the College has had a number of seals, the earliest of which bore no date whatever; and this present one, dated 1638, would appear to be of recent invention, as I find no mention of it in President Quincy's History of the University. I do not wish to take up time by citing authorities, but I should like to call attention to a single sentence in Palfrey's "History of New

England.”<sup>1</sup> After giving the date of the institution of the College by the General Court of Massachusetts as Oct. 28, 1636, the author proceeds to indorse a passage in a speech of Edward Everett, delivered at that famous commemoration of the two hundredth anniversary of the College, in 1836, which some gentlemen present may remember. Dr. Palfrey's words are, “That Massachusetts Assembly over which Henry Vane presided has been said to be the first body by which the people, by their representatives, ever gave their own money to found a place of education.” I am not, Sir, I confess, as enthusiastic an admirer of Sir Harry Vane as some members of this Society probably are; but it has always seemed to me one of the most interesting features of Vane's brief career in this country, that during the single year of his Governorship, and under his auspices, the College at Cambridge should have been instituted. I think we should be slow to permit this feather to be plucked from the cap of a man who went to the scaffold in the cause of civil and religious liberty. The last person to desire it would, I believe, have been John Harvard. We must each form our own conception of the character of a young man of whom we know so little and to whom we owe so much; but, for my own part, I like to picture Harvard as one who was not merely a lover of learning, but a lover of justice,—as one who, had he been present in the spirit, as perhaps he was, a few weeks ago, in Sanders Theatre, and had he possessed any means of intelligible manifestation, would have made haste, at the conclusion of the exercises, to do two things: First, to express his acknowledgments to all concerned in erecting the memorial,—to the eloquent and learned orator of the day (Dr. Ellis) in particular; and, second, to say to the assembled audience: “I am proud and happy that you consider me your founder,—and so I suppose I was, more than any one man,—but I am sorry the inscription on my statue should imply the slightest want of recognition of the fact that long before my death, before I had ever set foot on these shores, the magistrates of the Massachusetts Colony had taken formal steps to establish a seat of learning, to which they subsequently assigned my name.”<sup>2</sup>

<sup>1</sup> Vol. i. p. 548.

<sup>2</sup> It is beyond question that in 1636 the General Court not only determined to establish a college, but actually made an appropriation of money towards it.



Mr. QUINCY then addressed the Society substantially in these words:—

I have brought with me this little book, which I present to the Society. Its interest is not very great, but it will give me the opportunity of saying some words which seem to be due to the memory of a remarkable man. These few pages of manuscript preserve an imperfect record of certain conversations with Alexandre Vattemare, or, to speak more correctly, of his part in those conversations. They were copied by a Boston lady—the late Mrs. B. D. Greene—from journals which she was about to destroy. It must be confessed that such traces of the nimble-minded Frenchman as are here to be found are somewhat meagre and disappointing. I had the privilege of knowing Mr. Vattemare when he was in this country, and later in my life I visited him at his house in Paris. And in that delightful home-circle—in which four generations were represented—I well remember the charm of his conversation. To a varied experience he added a despotic command over the accessories of speech. His countenance, which in repose was as sad as any human face I ever saw,

It is likewise unquestionable that in 1637 they designated a place at which the college should be located. It was to this institution, which he recognized as having been already created, that John Harvard bequeathed the half of his estate. These facts are plainly stated in the Harvard University Catalogue of the present year, on page 10:—

“HARVARD COLLEGE was founded in 1636, by a vote passed at an adjourned meeting (October 28, Old Style) of the General Court of the Colony of Massachusetts Bay which convened on September 8th of that year. The language of the vote was as follows:—

“‘The Court agree to give Four Hundred Pounds towards a *School* or *College*, whereof Two Hundred Pounds shall be paid the next year, and Two Hundred Pounds when the work is finished, and the next Court to appoint where and what building.’

“The ensuing year (1637) the General Court appointed twelve of the most eminent men of the colony (among whom were John Cotton and John Winthrop) ‘to take order for a college at Newtown.’ The name, ‘Newtown,’ was soon afterwards changed by the General Court to *Cambridge*, in recognition of the English University where many of the colonists had been educated.

“The following year (1638) John Harvard, a non-conforming clergyman of England, who had been in the colony about one year, died at Charlestown, leaving half of his whole property and his entire library (about 300 volumes) to the institution.”

The Constitution of Massachusetts, framed in 1780, expressly declares that “our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of HARVARD COLLEGE.”—*University Catalogue*, p. 16.

would suddenly light up, and represent, by its exquisite mobility, the nice gradation of mirth, of reproach, or of sympathy which it was necessary to convey; and when his resources of facial expression seemed inadequate to illustrate the mastering sentiment, they would be assisted by gesticulation full of energy and grace. That bright, entertaining gossip, resulting from extensive travel and intimacy with the conspicuous personages of his time, was generally tethered in some way or other to the serious purpose of his life. No doubt Mr. Vattemare's decisions were often rough, and by no means closed the subject upon which they were uttered. He disclosed his passing feelings and opinions with utter frankness. Absorbed in his great work of diffusing knowledge among the nations, he would wear his heart upon his sleeve for daws to peck at,—a circumstance which the daws, as their nature is, did not leave unnoticed. Report our unguarded talk, and the best of us are vulnerable. The winged sentences of this man would be likely to fly through the nets of any reporter, were they set never so deftly; and such stragglers as might be caught would fail to convey the true emphasis of his discourse. It is perhaps doubtful whether reminiscences of conversation ought to be preserved. We can never supply the social medium in which the dead words were once alive and penetrative; the reader may easily receive a false impression as he hurries over them. So much it seems well to say before resigning this manuscript to such fate as shall befall it: I venture to hope that it will not be printed.

And now what claims has Mr. Vattemare to the notice of a society pledged to the right reading of Massachusetts history? I think they are these: First, to him, more than to any other man, we owe the foundation of the great public library which is the pride of this city. Second, his brilliant life-work—of which this was but one of the beneficent results—has been obscured by vague and irresponsible innuendo. His name has been associated, if not with actual reproach, at least with a slur of interrogation, the justice of which I emphatically deny. As testimony to the existence of these shadows of depreciation which have beclouded the name of Alexandre Vattemare, I cannot do better than quote an admirable summary of a portion of his achievements given by Mr. Justin Winsor in the "Memorial History of Boston."

"Whatever we think of Vattemare, *whether we call him an enthusiast or something worse or better*, we must recognize his contagious energy, which induced State after State to succumb to his representations, so that by 1853 he had brought one hundred and thirty libraries and institutions within his operations, and between 1847 and 1851 had brought from France for American libraries 30,655 volumes, beside maps, engravings, etc."<sup>1</sup>

This is truly a record of brilliant achievement; one going far to justify the prophecy of our minister to France, Mr. Cass, that Alexandre Vattemare would be "ranked among the benefactors of mankind, and like them be rewarded with universal esteem." But why the non-committalism of judgment contained in the words which I have emphasized? Before attempting to answer the question, let me say that I have no reflection to make upon the historian for writing just as he did. He implies, in language properly cautious and reserved, the existence of a fog of suspicion which somehow had come to obscure the outline of an heroic figure. It certainly had obscured it; and Mr. Winsor is not to be blamed for hinting at the fact.

After such inquiry as I have been able to make I can discover but two sources whence may have come a chill upon that cordial recognition of a useful career which was emphatically its due. I will mention them in the inverse order of their importance.

At the close of our civil war Mr. Hypolite Vattemare wished to carry on the system for the international exchange of books which his father had so successfully inaugurated. But it was soon rumored that this gentleman had been one of the writers upon American affairs for the "*Patrie*," a journal bitterly hostile to the preservation of the Union. Mr. F. W. Seward, representing the State Department, commented upon this intelligence with an asperity which was as natural as its implied deductions were inconsequential. Negotiations were abruptly closed; and at that time it doubtless happened that the well-earned fame of the elder Vattemare suffered some eclipse before a nation to whose service he had been especially devoted. This was probably one of the causes — although here in Boston it was certainly the least important cause — of the misjudgment to which allusion has been made.

<sup>1</sup> Memorial History of Boston, vol. iv. p. 286, note.

There was a voice which many years ago proceeded out of a once influential nucleus of opinion in this city, and that voice was understood, upon some occasion or other, to have pronounced Mr. Vattmare a charlatan. I shall not try to individualize this astonishing utterance. It is sufficient to say that it was one of quite a number of hasty judgments which came from a small circle of considerable pretension — and, in many respects, of eminent desert — to which the late Mr. Thomas B. Curtis gave a designation of some felicity. He used to distinguish this core and centre of intellectual Boston from its more or less vulgar outlying dependencies under the title of "Boston Proper." In topography the term is familiar enough: the humor lay in the new meaning put into it by a slightly sarcastic emphasis which I cannot hope to imitate successfully. And truly in those good old days — back some thirty or forty years in the past — there was a Boston within Boston, cultured, moral, conservative, and — *proper*. I feel great tenderness for this dead Boston proper. I was brought up in it — or, I might more modestly say, on the outskirts of it — and should like nothing better than to chronicle its many virtues, of which I am fully conscious. It had provincial characteristics, good as well as bad, and it is to our loss that we have fallen away from some of its standards of living. Nevertheless, there was in it a certain narrowness of perception, which could not easily admit the merit of contemporary character which influenced the world outside its own very respectable boundaries. It was apt to take its own notions of what was proper as a criterion for the rest of mankind; it would in all honesty say its Sunday prayer "for all sorts and conditions of men," but found some difficulty in a week-day effort to understand them and to do them justice. I do not care to repeat the grotesque decisions which, when a boy, I remember to have heard its oracular voices utter concerning Ralph Waldo Emerson, then in the earlier part of his career. Neither is there need of recalling the indiscriminating epithets which I have heard those same voices apply — I will not say to men of aggressive personality like Garrison and Theodore Parker, but to prominent members of the old Free Soil party; some of them members, perhaps, of this very reputable Society, whose names it will be better taste in me not to mention. We smile in recalling these foolish judgments. The worthy citi-

zens alluded to have gone in and out before us for a generation since those grievous misapprehensions were uttered. They have hosts of friends eager to report them and their cause aright to the unsatisfied. Biographies are not, or will not be, wanting to throw the most favorable light upon whatever they did that was good, and to conceal in graceful shadow such human frailties as they did not escape. What do we care for some evil name that this prejudiced Boston proper may once have flung at them? It did not stick. In the case of Mr. Vattemare it did stick. He was a foreigner, one of a nation always under suspicion of revolutionary vehemence; his methods were not in accordance with the sober movements dear to the Anglo Saxon temperament; he left among us no band of champions bound by every social and family tie to do him justice; and so it came to pass that the hasty word of disparagement which was cast at him left a mark which is not yet effaced.

Before passing from the subject I think it right to mention — though surely not to press — a suggestion which has been made as having had something to do with the obscuration which has befallen Mr. Vattemare's good name. The parable tells us that the men who were called earliest into the vineyard begrudged an equal payment to those whose work began at the eleventh hour. The complaint is characteristic of human nature; and a yet darker termination of the story would not discredit it as a picture of what might be in the heart of man. How if some laborer called into the vineyard in the cool of the evening, in order to magnify the importance of his own service, had been tempted to deny even an equal recompense to the toiler who had borne the burden and the heat of the day! Some suggestion equivalent to this has, in other years, been made by the friends of Mr. Vattemare, who were puzzled to account for the scant justice which has been done him. But such an explanation is unnecessary, and, in view of our inability to unravel the complexity of human motives, should not be hastily adopted.

I now come to the pleasanter duty of saying something about the man. Alexandre Vattemare was born in Paris near the close of the last century. In 1814, when still a youth, his acquaintance with surgery — for which profession he was studying — caused him to be placed in charge of several hundred

Prussian soldiers, and he was subsequently selected to accompany them to Berlin. Here some political movements resulted in his detention as a prisoner of war. While in captivity he amused himself by exercising his power of ventriloquism at the expense of the commandant and other officers, frightening them with strange noises, which they regarded as supernatural. It was by the advice of one of the military gentlemen thus befooled that he determined to use his remarkable powers as a means of support. At least this was Mr. Vattemare's account, so far as it is preserved in this record of conversations, though I have elsewhere seen the statement that a desire to relieve the wants of a French family of utter strangers to him was a potent factor in shaping his career.

Mr. Winsor gives Mr. Vattemare's bread-winning profession as that of a conjurer. The word is certainly misleading. He is better described as an actor, or personator, of very uncommon powers. Had he been associated with a metropolitan stage and performed single parts in the plays there represented, his fame would undoubtedly have passed into literature like that of Garrick or Talma. But Alexandre — for under that name Vattemare exercised his art — was something more than what is now called a star actor; he was also a supporting company. He was the creator of a delightful form of entertainment which the elder Mathews afterwards imitated with considerable success. He had been known to represent no less than forty-four characters in a single evening, giving to each a distinct individuality. The testimony of Sir Walter Scott, and others of critical eminence, to the extraordinary personations and transformations of this man account for the crowds that flocked to his entertainments. Before 1819 the fame of the wonderful Alexandre had extended through Germany and Austria, and penetrated to Hungary and Poland. After a visit to the Netherlands he proceeded to Great Britain, where ample harvests of renown and profit awaited him. During his travels Vattemare had been received and fêted by three emperors and by quite a rabble of kings. He had also won the friendship of many of the most distinguished men and women of the time, as the collection of letters which he called his *Album Cosmopolite* abundantly showed. His receipts were enormous, and his charities were in proportion to them. In Dublin alone his donations to public uses are said to have exceeded a thousand



pounds. Of the one hundred thousand rubles received for a visit to St. Petersburg, one half was given to the inhabitants of a Russian town that was destroyed by fire. But soon a larger charity than could be wrought by generous gifts of money began to occupy the attention of this much-followed performer.

In every city he visited, Mr. Vattemare's tastes would lead him to the libraries; and I have heard him describe the feelings that came over him upon seeing books piled together, or glued to their shelves as if under the spell of some malign enchantment, while all about them were ignorance and apathy. The libraries in the European capitals were, to be sure, nominally free; but the cataloguing was very imperfect, and red tape often held their doors against the people as securely as iron bars. There were small facilities for acquiring new books, and the subjects treated in the old ones had very little to do with the life that was then being lived. There were huge volumes devoted to controversial theology or to the discussion of insoluble transcendental problems; there was a great deal that concerned the Greeks and the Romans, but which had no special bearing upon questions which modern men must answer, or perish. And as the popular actor wandered among those lonely alcoves, there was flashed upon him what the next advance in civilization ought to be. The dumb oracles must be made to speak. The stagnant reservoirs of the past must be filled from the living fountains of the present, and the masses invited to quench their thirst. Was not this a sound conclusion? If we could transport ourselves back sixty years into the past, we should have no doubt that this was the work of practical utility next in order to be done. And a man had been found to do it, — one ready to resign the flatteries and the luxuries which fortune was heaping upon him, and to go forth as a knight-errant in the cause of the intellectual emancipation of the people.

About the year 1827 Mr. Vattemare began to devote his time, energy, and property to the introduction of his system of the international exchange of books, and, incidentally, of any products of nature or human skill which might increase knowledge in science or art. To borrow the language of its author, the system was "designed to give the intellectual treasures of the cultivated world the same dissemination and equali-

zation which commerce has already given to its material ones ;” and the outcome was to be “the establishment in every quarter of the world of free public libraries and museums ever open to the use of the people.” A just estimate of his plan of procedure is scarcely to be had from our present position. One of the best tests of its excellence is the fact that the popularization of libraries, which it was its object to promote, has rendered its continuance unnecessary. The fresh thought and invention of the nations is now open to all as a matter of course. It was the merit of Vattemare to create a sentiment that has caused methods which were once the best to be superseded by those which are still better. Success in amusing the public was now used simply as a means towards accomplishing the end he had in view. To adopt his own expression as preserved in these records, “When Vattemare failed to interest the attention, or gain admission to important personages, Alexandre took his place and carried the day.”

The labors of twelve years, pursued, in the words of Arago, “with a generosity almost unparalleled in modern times,” were abundantly successful in introducing the system of international exchanges throughout Europe. And then was undertaken that mission to America which Lafayette had so strongly urged. In 1839 Mr. Vattemare landed in New York. “My first sentiments,” he says, “were those of despair, for I found no institutions like our own open to the public, and therefore no means of laying the treasures which I proposed to bring into the United States before the people.” Happily the despair was only momentary. If there was more work to be done, he would make further draughts upon his indomitable energy and do it. He must not only bring books for the people, but must create free libraries to put them in. This is not the place to detail the tireless labors by which his plans were developed and brought to the attention of those who had the power to further them. They were finally indorsed by both Houses of Congress, as well as by the legislatures of some of the States. Many of the most eminent men of the country became his friends, and gave efficient aid in carrying out his work. It is with regret that I pass over the interesting incidents of Mr. Vattemare’s career in America, and limit myself to what he did in Boston towards the foundation of the municipal library which our citizens now enjoy.

On the 5th of May, 1841, a meeting was held in this city to take into consideration the plans for popularizing knowledge advocated by this ardent Frenchman. He urged the creation of an institution embracing within itself the existing libraries and the collections of scattered societies. An excellent committee was appointed who should make a serious attempt to carry out Mr. Vattemare's idea of a great library free to all the people. "The author of this plan," said the committee, "unfolded it with a minuteness of detail, both in regard to itself and to its results, which showed the meeting how deeply in earnest he was, and how easy he thought it would be to carry it into the fullest effect." Notwithstanding the labors of the gentlemen he had interested, it was found that the liberal views of our visitor could not then be realized. It was the old story of jealousy, and unwillingness or inability to co-operate on the part of those whom circumstances had placed in positions of authority. But repulse came to a man who was hardened to it, and who would cling all the more tenaciously to an idea with which his personality had become identified. After six more years of unremitted effort for the diffusion of knowledge, Mr. Vattemare returned to Boston, and succeeded in establishing the free public library that he was determined that we should have.

"The foundation of the noble municipal library which now adorns the city of Boston," writes Mr. Edward Edwards in his "History of Free Town Libraries," "may be traced to the year 1847 as the date of its virtual commencement, although for more than three years after that date the initiatory steps were not very actively or successfully followed up." Chief among these initiatory steps, which the historian truly declares founded the library, was that taken by Alexandre Vattemare, who brought a valuable collection of books from the city of Paris, and made an urgent appeal to the municipal authorities to take immediate measures for the establishment of the free library which should adorn Boston. He told them, with the sublime assurance of a prophet, that then was the accepted time; the books received from France must be made the nucleus of a great public institution. During his visits to Boston in 1847 and 1848 the idea of establishing a free library in this city seemed to pervade him even to his fingers' ends. He followed it up with a vehemence which might well startle the guardians

of the sluggish properties. He pursued the Mayor with visits and by correspondence; he wrought upon that functionary to make a conditional offer of \$5,000 towards providing books for the library, and to see that a petition was sent to the legislature for permission to levy taxes for its support. It was upon the legislative act of 1848, obtained by the persistent zeal of Mr. Vattemare, that the superstructure of our public library has been reared. It was that room in City Hall, set apart to receive the books he generously brought us, which gave it a local habitation and a name.

Is it said that the initial offering of Mr. Vattemare seems insignificant when compared with the gifts of money or of service which afterwards built up the library? It is insignificant as the bequest of John Harvard is insignificant when placed beside those costly benefactions which have made his College what it is to-day. Both these men gave at the right moment, and without them the dates of the foundations of beneficent institutions would be other than they are. But the outcome of an exuberant and devoted life is not to be compared with any dead man's legacy, however opportunely it may have been received. Neither can we measure our obligations to Mr. Vattemare by the time he spent in this city, nor by the energy he gave to the furtherance of our special work. Human words are something more than articulate sounds equal each to the other: the right man must speak them if they are to liberate pent-up forces. We can estimate the worth of that initiatory impulse only by remembering the long years of labor which had preceded it. A past generation was constrained to listen to this Frenchman because he bore the indorsements of distinguished men both in Europe and America, — men whose indorsements were to be gained only by eminent desert.

No past depreciation of Mr. Vattemare should tempt us to speak of him otherwise than justly. It is not to be denied that certain epithets which, as commonly used, are not commendatory, might be applied to him. Perhaps some gentleman here present may tell us that he met Mr. Vattemare when in this country, and that he impressed him as an egotist and an enthusiast. I must admit the egotism, and will only plead in extenuation that the stage-performer who can give the public supreme delight has a tendency to self-appreciation

which, if not necessitated by the molecular construction of his nervous system, is forced upon him by his exceptional environment. He is followed by admiring crowds wherever he goes; wealth and flattery are poured upon him; his society is sought, not only by royalty and nobility, but by contemporaries deservedly famous in the different spheres of human action. Almost of necessity, I say, such a man must think too highly of his own consequence. We do not expect him to conceive the cosmos comprehensively or with critical accuracy; no one doubts that he will place himself somewhat too near the centre of it. We have reason to be satisfied if men possessing this perilous endowment lead an outwardly respectable life, talk on the whole virtuously to their numerous interviewers, and occasionally give some popular charity the lift of a benefit. The comic actor, in the prologue of Goethe's immortal drama, excuses himself for caring about posterity, seeing that he has business enough in looking after contemporary fun. To most men the excuse would seem sufficient; to Mr. Vattemare it was not sufficient. His success in making contemporary fun was valued only because it placed him in a position to devote his life to the useful service of the world. What other successful actor can be mentioned who so regarded his opportunities of money-getting and of admission to courtly and gracious companies? But Mr. Vattemare has been called an enthusiast. If he is rightly described by the word, it must be used in its original signification, as one who acts under the constraint of the universal spirit which concerns itself with the whole. There is a meaning, more common in English speech, which implies a man of little judgment who throws himself away in pursuing impracticable Utopias. If the word is used in this sense, Mr. Vattemare is the last man it correctly describes. He proclaimed a true social want. Given a civilization based upon human knowledge and which had reached a certain point, he told men the next thing to be done, and proved his foresight by doing it. Enthusiasts such as he move the world; without them we should be repeating the life of the dark ages, or perhaps that of the cave men.

And here it will not be out of place to mention Mr. Vattemare's views upon a matter that has lately been somewhat discussed. Since the general establishment of free libraries, there have arisen questions touching their proper function.

Should they supply ephemeral works of fiction, seasoned, many of them, to gratify a morbid appetite, and giving false ideas of the conditions of human life and the requirements of duty? Above all, what are we to say to a State which postulates in its constitution the existence of a Supreme Being, to whom man is accountable, and bases its apparatus for maintaining justice upon this assertion, and then proceeds to tax its citizens, that the mass of the people, including the young and inexperienced, may be provided with speciously written books which deny this primal affirmation? I know the difficulty of drawing dividing lines. It would always have been very hard; now I hold it to be impossible. Democracy takes no backward step; it will never give up a concession. If we have gained wisdom through experience, we are wise, as the saying goes, after the event. Mr. Vattemare was wise before the event. The books which he devoted his life to bring to the doors of the people should contain profitable knowledge: they must be edifying; they must tend to build up good citizens. And so, when the authors of France offered him copies of their works to bring to America, he declined some of them as writings which free libraries were under no obligation to provide; among those declined were certain books by the most popular writers of their time. Mr. Vattemare may have shown his own limitation in some of these judgments; I am not concerned to defend them as always correct. But, allowing for what the astronomers call the personal error, the instinct behind it was worthy of respect. And when, years ago, we decided that another impost should be laid upon our heavily taxed citizens to the end that in all our towns the boys and girls as they left the free schools might be provided with free libraries,—when we were about to establish the traditions of institutions then in embryo,—we may well raise the question whether they would not have been higher educational agencies, had we adopted Mr. Vattemare's view of the true purpose of their existence.

I have confined myself to a notice of those parts of Mr. Vattemare's career which may claim the recognition of this Society. Of the work he did in Europe, this is not the occasion to speak. His love for America was unbounded, and his zeal in our service often put to shame that of our



paid officials. It was owing to his exertions that this country was represented in the French Exhibition of 1856. The flag of every nation in Europe was to float over that beautiful building; and he declared, with that wonderful energy which made light of obstacles, that the stars and stripes should be displayed there also. The show that he conjured into existence was meagre enough, and provoked a smile from his transatlantic friends. "Ah, you may laugh at my exhibition," exclaimed Mr. Vattermare, with the exultant glee of a school-boy; "but it has put your good flag up aloft, and you will see it will win for you some medals and honorable mentions!"

The muse of History has sometimes been described as prejudiced and purchasable; but the sub-muse of Local History, if mythology may be enriched with such a personage, is far more open to such accusations. She approaches the urn under strong social and pecuniary bias, and often draws out singular names to receive our homage. If one of the names therein contained is that of a foreigner, she is pretty sure not to find it. And what does it matter? Nothing surely to Alexandre Vattermare; something, perhaps, to the community which overlooks his services, and cares not if a shade of unjust suspicion has come to rest upon his name. Nevertheless, this rare type of man is as worthy of study — yes, and of admiration — as any book that he ever brought us. He seems to me a figure well-nigh unique. An enthusiast, if you will, but one whose head was never in the clouds; one who would feed his fellows with wholesome food, never with wild theories, exaggerations, and unrealities. He was clear-sighted as well as unselfish, and so devoted his life to the diffusion of that higher human experience which differentiates civilized man from the savage and the brute.

Judge CHAMBERLAIN referred to the alleged signing of the Declaration of Independence, July 4, 1776, and gave some reasons for his conclusion that the printed Public Journal of Congress, so far as it relates to that event, is untrustworthy. This paper, which he communicated by title only, proclaims no new discovery. The subject, he said, has been often discussed, and the facts relating to it have been publicly stated. Yet the old error prevails, and has been repeated by writers

of historical repute. It seems necessary not only to disprove it, but to show how it originated. This is the object of the paper.

*The Authentication of the Declaration of Independence, July 4, 1776.*

Few historical events which have occasioned controversy are referred to definite time and place by such overwhelming weight of authority, personal and documentary, as that which assigns the authentication of the Declaration of Independence, by the signatures of the members of Congress, to Independence Hall, in Philadelphia, July 4, 1776. After it had been called in question, this was distinctly affirmed by two of the most eminent of the persons then present, one of whom was the author of the Declaration, and the other the most powerful advocate of the resolution on which it was based; and their concurring statements appear to be corroborated by memoranda claimed to have been written at the time, as well as by the printed official Journal of the Congress of which both were members; and yet it is more than probable that both eye-witnesses were mistaken and the memoranda unreliable, while the printed Journal is demonstrably misleading. This is all the more extraordinary since the error relates to an event in respect to which error is hardly predicable. It is not a question as to what took place on some widely extended battle-field crowded with struggling combatants, but as to what passed directly under the eyes of fifty intelligent gentlemen in the quiet and secret session of the Continental Congress.

The question is this: Was the draught of the Declaration of Independence, which, after various amendments, was finally agreed to on the afternoon of July 4, forthwith engrossed on paper and thereupon subscribed by all the members then present except Dickinson? This is affirmed by Adams and Jefferson, and in this the printed Journal seems to sustain them. But this, Thomas McKean, himself a signer, present on the 4th, and voting for the Declaration, has explicitly denied; and so have Force,<sup>1</sup> Bancroft,<sup>2</sup> Webster,<sup>3</sup> and Winthrop.<sup>4</sup> With some

<sup>1</sup> The Declaration of Independence, p. 63.

<sup>2</sup> History of the United States, vol. viii. p. 475.

<sup>3</sup> Works, vol. i. p. 129.

<sup>4</sup> Fourth of July Oration, 1876, p. 28.

variation in phrase, these writers agree with Mr. Webster, who says that on the 4th "it was ordered, that copies be sent to the several States, and that it be proclaimed at the head of the army. The Declaration thus published did not bear the names of the members, for as yet it had not been signed by them. It was authenticated, like other papers of the Congress, by the signatures of the President and Secretary."

Of the more recent writers, Frothingham, in his "Rise of the Republic" (page 545, note), and Randall, in his "Life of Jefferson" (vol. i. p. 171, note), unable to see their way in this conflict of authority, have left the matter in doubt; while Dr. Lossing, who had said that "the Declaration of Independence was signed by John Hancock, the President of Congress, only, on the day of its adoption, and thus it went forth to the world,"<sup>1</sup> having re-examined the question, or convinced by the statements of Mrs. Nellie Hess Morris,<sup>2</sup> has changed his opinion, and now affirms that it was engrossed on paper and signed on the 4th, by all the members who voted for it, and subsequently on parchment, and again signed on the 2d of August in the form well known in fac-simile.<sup>3</sup>

The first to challenge the commonly received opinion that the Declaration of Independence was engrossed, and then signed by the members of Congress, on July 4, was Thomas McKean. Shortly after Governor McKean's death, in 1817, John Adams sent to Hezekiah Niles eight letters, written to him by McKean between June 8, 1812, and June 17, 1817. These letters were published in Niles's "Weekly Register" for July 12, 1817 (vol. xii. p. 305 *et seq.*). In one of them, dated Jan. 7, 1814, which is too long to be given in full, but which may be found *ut supra*, and also in the Collections of the Massachusetts Historical Society (vol. xlv. p. 505), Governor McKean says:—

"On the 1st of July, 1776, the question [on the Declaration] was taken in committee of the whole of Congress, when Pennsylvania, represented by seven members then present, voted against it, four to three. Among the majority were Robert Morris and John Dickinson. Delaware (having only two present, namely, myself and Mr. Read) was divided. All the other States voted in favor of it. The report

<sup>1</sup> Field Book of the Revolution, vol. ii. p. 79.

<sup>2</sup> Potter's American Monthly, vols. iv.-v. p. 498.

<sup>3</sup> *Ibid.*, p. 764.

was delayed until the 4th; and in the mean time I sent an express for Caesar Rodney to Dover, in the county of Kent, in Delaware, at my private expense, whom I met at the State House door, on the 4th of July, in his boots. He resided eighty miles from the city, and just arrived as Congress met. The question was taken. Delaware voted in favor of Independence. Pennsylvania (there being only five members present, Messrs. Dickinson and Morris absent) voted also for it. Messrs. Willing and Humphries were against it. Thus the thirteen States were unanimous in favor of Independence. Notwithstanding this, in the printed Public Journal of Congress for 1776 (vol. ii.) it appears that the Declaration of Independence was declared on the 4th of July, 1776, by the gentlemen whose names are there inserted, whereas no person signed it on that day; and among the names there inserted, one gentleman, namely, George Read, Esq., was not in favor of it; and seven were not in Congress on that day, namely, Messrs. Morris, Rush, Clymer, Smith, Taylor, and Ross, all of Pennsylvania, and Mr. Thornton, of New Hampshire; nor were the six gentlemen last named, members of Congress on the 4th of July. The five for Pennsylvania were appointed delegates by the convention of that State on the 20th July, and Thornton took his seat in Congress, for the first time, on the 4th November following; when the names of Henry Wisner, of New York, and Thomas McKean, of Delaware, are not printed as subscribers, though both were present in Congress on the 4th of July and voted for Independence. . . . After the 4th of July, I was not in Congress for several months, having marched with a regiment of Associators, as Colonel, to support General Washington, until the flying camp of ten thousand men was completed. When the Associators were discharged, I returned to Philadelphia, took my seat in Congress, and signed my name to the Declaration on parchment."

In transmitting this letter to Mercy Warren for her reading, John Adams said: —

"I send you a curiosity. Mr. McKean is mistaken in a day or two. The final vote of independence, after the last debate, was passed on the 2d or 3d of July, and the Declaration prepared and signed on the 4th.

"What are we to think of history, when, in less than forty years, such diversities appear in the memories of living persons who were witnesses?

"After noting what you please, I pray you to return the letter. I should like to communicate it to Gerry, Paine, and Jefferson, to stir up their pure minds."

Governor McKean's recollection was certainly at fault in one or two particulars. His patriotic and successful endeavor to

bring Rodney up from Delaware was that he might vote on the main question, — the Resolution of Independence, which passed the 2d of July. It is doubtful, also, whether he was correct in saying that Wisner, of New York, voted either for the resolution or for the Declaration; for, though he may have been in favor of independence, the delegates from that State were not authorized so to vote until July 9, nor was their authority communicated to Congress before July 15.<sup>1</sup> McKean was in error on some collateral points; but was John Adams right and McKean wrong on the main question, — the signing of the Declaration on the 4th? It is premature to pronounce until all the evidence is produced; but there is a noticeable letter, written by John Adams to Samuel Chase, from Philadelphia, July 9, in which he says: "As soon as an American seal is prepared, I conjecture the Declaration will be subscribed by all the members, which will give you the opportunity you wish for, of transmitting your name among the votaries of independence."<sup>2</sup> From this it is clear that Chase, whose name appears on the printed Journal of the 4th as a signer, was not in Philadelphia on that day, nor until after the 9th; and a question arises, why Chase, on his return to Philadelphia, should not have signed that Declaration which John Adams says he and others signed on the 4th, instead of waiting for the general subscription, which he conjectured would take place after the preparation of an American seal. The following entry in the Journal shows that Carroll was not in Congress until after that date, though his name is entered on the same Journal, when printed, under 4th July, as then present and signing the Declaration: —

July 18. "The delegates from Maryland laid before Congress the credentials of a new appointment made by their convention, which were read as follows: —

*"In Convention, Annapolis, July 4, 1776.*

*"Resolved, That the honorable Matthew Tilghman, Esq; and Thomas Johnson, Jun., William Paca, Samuel Chase, Thomas Stone, Charles Carroll, of Carrollton, and Robert Alexander, Esqrs.; or a majority of them, or any three or more of them, be deputies to represent this colony in Congress, etc. etc. . . . Extract from the minutes: G. DUVAL, Clerk."*<sup>3</sup>

<sup>1</sup> Journal of Congress, vol. ii. p. 265.

<sup>2</sup> Works, vol. ix. p. 421.

<sup>3</sup> Journal of Congress, vol. ii. p. 273. The addition to the name of Charles Carroll, in the above resolve, of the words "of Carrollton," shows that such was

But the most particular and apparently the most irrefragable statement in favor of the popular belief that the Declaration was signed on the 4th by the members then present, except Dickinson, is found in Jefferson's memoranda, and also in his letter of May 12, 1819, to Samuel Adams Wells.<sup>1</sup> And first, the memoranda. At the end of the Declaration, on page 21, Jefferson has appended the following:—

"The Declaration, thus signed on the 4th, on paper, was engrossed on parchment, and signed again on the 2d of August."

And in brackets:—

"Some erroneous statements of the proceedings on the Declaration of Independence having got before the public in latter times, Mr. Samuel A. Wells asked explanations of me, which are given in my letter to him of May 12, '19, before and now again referred to. I took notes in my place while these things were going on, and at their close wrote them out in form and with correctness; and from one to seven of the two preceding sheets are the originals then written."

In the margin the editor informs us that the above note is on a slip of paper, pasted in at the end of the Declaration. There is also, he tells us, sewed into the manuscript a slip of newspaper, containing McKean's letter, from which it ap-

his common designation before he signed the Declaration of Independence. Carroll, though he had a large property at stake, was one of the most ardent of the patriots, and as impatient as any of his associates at the delay of his colony to take the ground of independence; and on the very day on which the printed Journal represents him as at Philadelphia, and signing the Declaration, he was at Annapolis, where he had been for some time engaged in the finally successful effort to bring the recalcitrant Assembly to the point of voting the resolve quoted in the text. Due consideration of the significance of the foregoing facts begets doubt respecting the story which has been widely circulated and has gained some credence. It is to the effect that when the members were signing the engrossed copy of the Declaration, August 2, Hancock, with some implied allusion to his own large fortune supposed to be imperilled by his signing, asked Carroll, who also was rich, "if he intended to sign." Perhaps there was nothing in the character of Hancock which would have prevented his asking such a question; but certain facts stand in the way. Carroll took his seat July 18. The next day, Congress voted that the Declaration, when engrossed, *should be signed by every member of that body*. So that, if Carroll's patriotic efforts at Annapolis, which secured to himself and his delegation the right to vote, left any doubt as to his intention in that regard, the above vote of Congress renders the insolent question attributed to Hancock altogether improbable. The same may be said as to the alleged addition to Carroll's signature of the words "of Carrollton" in consequence of the taunt of a bystander that their omission might save him his estate.

<sup>1</sup> Jefferson's Writings, Boston ed., 1880, vol. i. pp. 20, 94.



pears that Jefferson intended to make an issue of fact with Governor McKean.

Jefferson, in his letter to Wells, says:—

“It was not till the 2d of July that the Declaration itself was taken up, nor till the 4th that it was decided; and it was signed by every member present except Mr. Dickinson. The subsequent signatures of members who were not then present, and some of them not yet in office, is easily explained if we observe who they were; to wit, that they were of New York and Pennsylvania. . . . Why the signature of Thornton, of New Hampshire, was permitted so late as the 4th of November, I cannot now say.”

It is important to notice that when Jefferson speaks of a “Declaration thus signed,” he must have had before him one that bore the signatures of the New York and Pennsylvania delegates, as well as that of Thornton, of New Hampshire, as he mentions them.

The letter to Wells bore date May 12, 1819. On Aug. 6, 1822, more than three years later, he added the following postscript to a copy which he had preserved:—

“Since the date of this letter, to wit, this day, August 6, '22, I have received the new publication of the Secret Journals of Congress, wherein is stated a resolution of July 19, 1776, that the Declaration passed on the 4th be fairly engrossed on parchment, and when engrossed, be signed by every member; and another of August 2d, that being engrossed and compared at the table, it was signed by the members.”

As neither the resolution of July 19 nor the signing on parchment of August 2 appear, except, as hereafter given, in his memoranda of matters he “took notes of in his place while these things were going on,” and as he was certainly in his place August 2, when he signed the parchment Declaration, it is not surprising that he was disturbed when they came to his notice, nearly fifty years later, since he had apparently forgotten them.

It is true he says, “The Declaration thus signed on the 4th, on paper, was engrossed on parchment, and signed again on the 2d August.” The latter date shows that the entry was made a month after the first alleged signing. “The Declaration thus signed,” to which he refers, and which he had before him, contained the signature of Thornton, which carries

the date forward as late as November 4; and there is no evidence of the existence of a printed copy of the Declaration with the signatures of the members attached, before that issued under a resolution of Congress, Jan. 18, 1777; and the imprint of the official journal which contains the names of the signers is of the same year. From these facts it seems to follow that Mr. Jefferson's memoranda were made later than that date.

We now proceed to a more careful examination of these memoranda. If they were made by Jefferson at the close of each day, or within a few days after the transactions they record, they would settle the question against any amount of opposing testimony of less authoritative character. But it is evident, on critical consideration, that such of these memoranda as relate to the signing of the Declaration on the 4th of July were made up with the printed Public Journal before him; and as that did not appear until the next year, his notes lose the authority of contemporaneous entries. Indeed, he tells us himself that the statement of facts, as we have it, was made up "at their close."

It is not a little remarkable that, with the printed Journal of July 4, which bore Thornton's signature of November 4, before him, Jefferson should not have asked himself how that name should be found, not upon the *Declaration*, but upon the *Journal* of that day. When Thornton came down from New Hampshire in November, he doubtless signed the parchment Declaration, in compliance with the order of July 19, "that the same, when engrossed, be signed by every member of Congress." Though coming late, Thornton was a member of that Congress. In order to make Jefferson's assumption effective, the clerk must then have produced the paper Declaration and requested Thornton to sign *that*. But neither of those signings would put Thornton's name on the *Journal* of the 4th. It could have come *there* only by the clerk's false entry that Thornton was present and signed on the 4th; for the entries of July 4, July 19, and August 2 are in the handwriting of Charles Thomson. To state this supposition is to contradict it. Nor is Jefferson's way out of the difficulty more clear if we accept Mr. Randall's<sup>1</sup> solution, which

<sup>1</sup> Randall's *Jefferson*, vol. i. p. 173, note.

seems to be adopted by Dr. Lossing,<sup>1</sup> that the non-appearance of the paper Declaration to-day is to be accounted for by the presumption that it was destroyed as useless when the parchment was signed August 2; for had that been the case Thornton's name would not have appeared on an instrument destroyed three months before he entered Congress.

The real state of the case begins to appear: *the printed Public Journal for July 4, 1776, varies from the original.* There are three publications which purport to give the proceedings of the Old Congress, in whole or in part. The first is entitled "Journals of Congress. Containing the Proceedings in the year 1776." The proceedings for July, 1776, were not officially published until more than six months after their occurrence. The last entry in the Journal for that year is December 31; and the preparation of the copy, with a full index, would probably delay its publication until the spring of 1777. For more than forty years this was the only Journal known to the public. It was that which Adams and Jefferson had before them when they so explicitly stated that the Declaration of Independence was signed by the members present, July 4. This printed Journal appears to sustain them in that statement.

The second of these Journals is entitled the "Secret Journals of the Acts and Proceedings of Congress," and was first published in 1821, in four volumes, agreeably to Congressional Resolves. These volumes contain those records of domestic and foreign affairs which Congress thought wise to keep from the public eye, and are found in manuscript volumes distinct from those which contain the Public Journals.

The wisdom, secrecy, or timidity of Congress is clear from the fact that the three resolutions, one of them relating to independence, which Richard Henry Lee moved on the 7th June, 1776, are referred to in the Journal of that day only as "certain resolutions respecting independency;" nor were they ever extended on the records, and only became known in the manner presently to be explained. On the 10th one of these resolutions was set out by way of recital.

The third of these Journals is found in Force's "American Archives," which is not the Journal kept by Charles Thom-

<sup>1</sup> Potter's American Monthly, vols. iv.-v. p. 755.

son, the clerk of the Old Congress, but an account of the proceedings of Congress made up from the Journals above described, and the minutes, documents, and letters preserved in files by the clerk. It lacks the authority which appertains to a journal extended by a sworn clerk of the body whose proceedings it records; but, nevertheless, it is doubtless the most authentic account of the transactions of Congress which we possess. From the files Force printed the original paper which contained Lee's famous resolutions.<sup>1</sup>

With this account of these several Journals I now propose to bring them together, so far as relates to the Declaration of Independence. It will be understood that in speaking of the Journals of Congress I refer in all cases, unless otherwise specified, to the *printed Journals*.

*Proceedings according to the Public Journal.*

July 4, 1776. Agreeable to the order of the day, the Congress resolved itself into a committee of the whole, to take into their farther consideration the declaration; and after some time the president resumed the chair, and Mr. Harrison reported, that the committee have agreed to a declaration, which they desired him to report.

The declaration being read, was agreed to, as follows:—

**A DECLARATION** *by the Representatives of the UNITED STATES of AMERICA in Congress assembled.*

*[Here follows the Declaration in the form we have it.]*

The foregoing declaration was, by order of Congress, engrossed, and signed by the following members:—

John Hancock.

*New Hampshire.*

Josiah Bartlett.

William Whipple.

Matthew Thornton.

*Massachusetts-Bay.*

Samuel Adams.

John Adams.

Robert Treat Paine.

Elbridge Gerry.

*Rhode Island.*

Stephen Hopkins.

William Ellery.

*Connecticut.*

Roger Sherman.

Samuel Huntington.

William Williams.

Oliver Wolcott.

*New York.*

William Floyd.

Philip Livingston.

<sup>1</sup> See fac-simile in American Archives, vol. vi. 4th ser. p. 1700.

Francis Lewis.  
Lewis Morris.

*New Jersey.*

Richard Stockton.  
John Witherspoon.  
Francis Hopkinson.  
John Hart.  
Abraham Clark.

*Pennsylvania.*

Robert Morris.  
Benjamin Rush.  
Benjamin Franklin.  
John Morton.  
George Clymer.  
James Smith.  
George Taylor.  
James Wilson.  
George Ross.

*Delaware.*

Cæsar Rodney.  
George Read.

*Maryland.*

Samuel Chase.  
William Paca.

Thomas Stone.  
Charles Carroll, of Carrollton.

*Virginia.*

George Wythe.  
Richard Henry Lee.  
Thomas Jefferson.  
Benjamin Harrison.  
Thomas Nelson, Jun.  
Francis Lightfoot Lee.  
Carter Braxton.

*North Carolina.*

William Hooper.  
Joseph Hewes.  
John Penn.

*South Carolina.*

Edward Rutledge.  
Thomas Heyward, Jun.  
Thomas Lynch, Jun.  
Arthur Middleton.

*Georgia.*

Button Gwinnett.  
Lyman Hall.  
George Walton.

*Resolved*, That copies of the declaration be sent to the several assemblies, conventions and committees, or councils of safety, and to the several commanding officers of the continental troops; that it be proclaimed in each of the United States, and at the head of the army.

In the Secret Journal there is no entry under the 4th of July, 1776.

*Proceedings in Congress 4th July, 1776, as given in Force's "Archives."*<sup>1</sup>

Agreeable to the Order of the Day, the Congress resolved itself into a Committee of the Whole, to take into their further consideration the Declaration; and, after some time, the President resumed the chair, and Mr. *Harrison* reported, that the Committee have agreed to a Declaration, which they desired him to report.

The Declaration being read, was agreed to, as follows:

[Here follows the Declaration, as in the Public Journal, *but without any signatures.*]

<sup>1</sup> 4th ser. vol. vi. p. 1729.

*Ordered*, That the Declaration be authenticated and printed. That the committee appointed to prepare the Declaration superintend and correct the press. *Resolved*, That copies of the Declaration be sent to the several assemblies [etc., as in the Public Journal].

*The Secret Journal.*

July 19, 1776. *Resolved*, That the Declaration passed on the 4th be fairly engrossed on parchment, with the title and style of "THE UNANIMOUS DECLARATION of the THIRTEEN UNITED STATES of AMERICA;" and that the same, when engrossed, be signed by every member of Congress.<sup>1</sup>

The Public Journal has no entry on this day respecting the Declaration; but the Proceedings in Force's "Archives" contain the resolve as above.<sup>2</sup>

*The Secret Journal.*

Aug. 2, 1776. The Declaration of Independence being engrossed, and compared at the table, was signed by the members.<sup>3</sup>

The same is found in Force's "Archives,"<sup>4</sup> but not in the Public Journal.

*The Public Journal.*

January 18, 1777. *Ordered*, That an authenticated copy of the declaration of independency, with the names of the members of Congress, subscribing the same, be sent to each of the United States, and they be desired to have the same put upon record.<sup>5</sup>

Assuming that the entry in the Public Journal of July 4 is genuine, the above order is superfluous, since as *such*, it merely repeats the former order, and couples with it the expression of a desire that the several States would record it. The operative clause is to print the Declaration with the *names of the members signing* it. This was accordingly done, and for the *first time*. From the copy thus printed was made up the Journal of the 4th July, as *printed*, more than six months antecedent.

<sup>1</sup> Secret Journal, Domestic Affairs, vol. ii. p. 48.

<sup>2</sup> Force's Archives, 5th ser. vol. i. p. 1584.

<sup>3</sup> Secret Journal, Domestic Affairs, vol. ii. p. 49.

<sup>4</sup> Force's Archives, 5th ser. vol. i. p. 1597.

<sup>5</sup> Journals of Congress, vol. iii. p. 28.



With these extracts from the Journals and Proceedings before us, and assisted by certain well-known and indisputable facts, it ought not to be difficult to discover the truth respecting the apparent signing of the Declaration of Independence on the 4th of July, 1776.

It will be observed that the statements of these Journals are inconsistent, if not contradictory. The Public Journal says, under date of July 4:—

“The foregoing declaration was, by order of Congress, engrossed, and signed by the following members.”

In the Proceedings the corresponding entry is as follows:—

“Ordered, That the Declaration be authenticated and printed. That the Committee appointed to prepare the Declaration superintend and correct the press.”

“Resolved, That copies of the Declaration be sent to the several assemblies,” etc.

Now, it is hardly conceivable that these inconsistent orders could have passed at the same time and in relation to the same subject-matter. One or the other of them must be incorrect. It is noticeable that what seems to be an order in the Public Journal is only a narrative of an alleged fact, namely, that “the foregoing declaration was, by order of Congress, engrossed and signed by the following members.” It is pertinent to ask, By what order, and where is it recorded? The Journal contains no such order, nor do the files. Nothing exists independently of the above recital, to show that any such order was ever passed. Nor is the narrative a correct recital of facts. That is, it states what is known to be untrue,—in part, from subsequent entries in the Journal itself. The New York members, whose names are recorded as present and signing the Declaration on the 4th July, were not authorized to sign until the 9th, nor was that authority laid before Congress until the 15th. Of course they did not sign before that date. As we have already seen, Chase was not present on the 4th, nor was Carroll, who did not take his seat until the 18th.<sup>1</sup> Rush, Clymer, Taylor, and Ross, of Pennsylvania, whose names are recorded as signing on the 4th, were not

<sup>1</sup> Journals of Congress, vol. ii. p. 273.

chosen delegates until July 20;<sup>1</sup> nor did Thornton appear in Congress until the 4th of November.<sup>2</sup> So far as these delegates are concerned, the Public Journal, which represents them as present in Congress on the 4th of July and signing the Declaration, is clearly spurious.

In the next place, the record of the Public Journal as printed is at variance with known facts. If, as it asserts, the Declaration was signed on the 4th, it should be found in the files of that day; but search has repeatedly been made for it without success, nor has it ever been seen or heard of. It may have been lost; but there are facts making it by far more probable that it never existed. If the signatures of the delegates were affixed, in whole or in part, to the Declaration on the 4th, they formed an important part of the instrument, since they constituted its sole authorized and required authentication, when it was printed and sent to the several assemblies and read at the head of the army. We have the copies which were so sent and read. But these copies contain only the signatures of John Hancock, as President, and Charles Thomson, as Secretary, of the Congress, who claim to have signed it *in behalf and by order of that body*.<sup>3</sup> So that, if the order of Congress, as is asserted by the Public Journal, was that the Declaration should be signed by the members, and so sent forth, then Hancock and Thomson must have caused it to be printed without these signatures, and falsely claimed that their own were added by authority. For not only cannot this original Declaration, which Jefferson says was signed by the delegates on the 4th, be found, but not even one of the printed copies which were ordered by Congress. This fact points to an inevitable conclusion. Such a paper never existed save on the false Journal as printed by Congress.

On the other hand, the proceedings and orders, as set forth in the "American Archives," strictly conform to congressional precedents. All its proclamations and similar public documents went forth under the authentication of the President and Secretary, unless otherwise ordered, as was the case with the Address to the King and other like addresses of the Congress of 1774. Any other method, save by express vote, would have been illegal. As the Declaration, though of the nature

<sup>1</sup> Journals of Congress, vol. ii. p. 277.

<sup>2</sup> *Ibid.*, p. 441.

<sup>3</sup> The same authentication is given in the "Annual Register," 1776, p. 161.

of a legislative act, was in some respects out of the ordinary course, the President and Secretary might well seek instruction. Congress forthwith gave them directions to authenticate it and print it under direction of the committee that draughted it, and then send it to the assemblies and to the army. This was done immediately. Lossing has stated that the Declaration was agreed to about two o'clock in the afternoon. It was printed during that afternoon and evening, and the next day was sent forth to the world.<sup>1</sup> Copies of the Declaration are not rare. There is one in the library of the Historical Society; and a copy was printed at Salem, doubtless within a few days after the receipt of that distributed by order of Congress. Its authentication is as follows:—

*Signed by order and in behalf of the Congress,*

JOHN HANCOCK, *President.*

*Attest, CHARLES THOMSON, Secretary.*

The ordinary authentication was by the signatures of the President and Secretary, followed by their official title; and the peculiarity of the authentication of the Declaration in the use of the uncommon words, "Signed by order and in behalf of the Congress," shows that it was so authenticated by the express vote of that body.

In a word, the proceedings of Congress with respect to the Declaration, as contained in the "American Archives," and given above, conform to and account for all known facts; while the record of the same transaction, as found in the Public Journal, is contradicted by other entries in the same Journal, and is at variance with all the external circumstances attending and following the transaction.

But the case does not rest wholly upon the reasons given above. Thus far in this analysis I have confined myself to the printed Journals of Congress, and to such facts as are of public notoriety; and if the case were allowed to rest here, I trust it has been made to appear that the Public Journal of July 4, reciting that the Declaration of Independence was signed by the members of Congress on that day, is erroneous. But the error requires explanation as well as demonstration. The

<sup>1</sup> See note in Frothingham's "Rise of the Republic," p. 544, from which one might infer that the Declaration was published on the 4th.

error is in the printed Journal, which does not conform to the original manuscripts. Of these there are three, which are more fully described in the subjoined note.<sup>1</sup> Two of them relate to

<sup>1</sup> For the interesting facts given above I am indebted to the courtesy of S. M. Hamilton, Esq., of the State Department, Washington, who, in the absence of Theodore F. Dwight, Esq., to whom I had addressed some inquiries, has written the following letter, and its enclosures.

DEPARTMENT OF STATE, WASHINGTON, Nov. 5, 1884.

DEAR SIR,—... I fail to discover any printed half-sheet of paper, with the names of the members afterwards in the printed Journals, stitched in. I have found, however, a printed copy of the Declaration, inserted in one of the manuscript Journals covering the period in question, and have, by the enclosures, endeavored to give an accurate idea of the same.

Three of the manuscript Journals of the Continental Congress cover July, 1776. One begins, or rather the first entry in it is, under date of May 25, 1776, and ends July 24. In this appears the printed copy of the Declaration. The next begins with entry under date of May 14 (continuing the record of that day, begun in the preceding volume), and the last Aug. 6, 1776. In that the Declaration appears as a regular and continuous entry, and is in the same handwriting as the rest of the Journal. The third Journal is the "Secret Domestic Journal," which contains no entry between June 24 and July 8, 1776.

Taking your queries as they come in your letter, I may say,—

1st. The enclosure gives an idea of the only printed copy of the Declaration inserted in any manuscript Journal.

2d. As will be seen, the printed names of Hancock and of Thomson are the only names appearing attached to it in any form.

3d. It will be seen, also, that the names of the States do not appear.

4th. The words, "The foregoing declaration," etc. (*vide* printed Journal, vol. ii. p. 245), have not been found in the Journals, neither in the manuscript copy of the Declaration nor in the printed half-sheet. They (the words above quoted) appear in the printed Journals only.

5th. Neither of the Public Journals nor the Secret Journal contains any written names to the Declaration.

Enclosure marked No. 1 is to represent the printed half-sheet. That marked No. 2 is in a manner a comparison of the entries in the two Public Journals of so much of the minutes under the 4th of July as relates to the Declaration, with the exception of that part relating to copies being sent to the several States, etc. The copying ink denotes the entries as in the Journal containing the printed half-sheet; the red ink shows them as appearing in the Journal containing the Declaration in manuscript: that is, the words in red ink appear in the Journal containing the Declaration in manuscript in addition to those in the former, while words in red brackets do not appear therein.

I am, sir, very obediently yours,

S. M. HAMILTON.

MELLEN CHAMBERLAIN, Esq., etc.

The printed page not conveniently allowing the exhibition, by type or photography, of Mr. Hamilton's enclosures, they may be described as follows: No. 1 is a folded sheet of paper designed to represent the size and form of the manuscript Journal which contains a printed copy of the Declaration, attached by wafers. The size of the sheet, when folded, is 8 by 12½ inches. On the *verso* of the first

the events of July 4, and all include the Declaration of Independence in some one or more of its stages. They are all

leaf the writing covers the upper half of the page, the lower half being left blank, apparently to receive by attachment the printed broadside of the Declaration now found there. This copy is twice folded, so as to adapt it to the page of the Journal. The printed matter measures  $11\frac{1}{2}$  by  $17\frac{1}{4}$  inches. Its authentication is in print and as follows:—

Signed by ORDER and in BEHALF of the CONGRESS

JOHN HANCOCK, PRESIDENT

ATTEST

CHARLES THOMSON, SECRETARY

The imprint is: "PHILADELPHIA: PRINTED BY JOHN DUNLAP." Above this printed copy of the Declaration, and forming part of the manuscript Journal which begins with May 25 and ends July 24, 1776, are the following entries, under date of July 4, 1776:—

"Agreeable to the order of the day the Congress resolved itself into a committee of the whole to take into their further consideration the declaration

"The president resumed the chair

"Mr Harrison reported that the committee of the whole Congress have agreed to a Declaration which he delivered in

"The Declaration being again read was agreed to as follows"

[Here the printed Declaration is attached by *scissors*.]

On the next page is the following:—

"Ordered That the declaration be authenticated & printed

"That the committee appointed to prepare the declaration superintend & correct the press."

This is the true Journal of Congress for the 4th of July, omitting the order respecting its transmission, etc.

Now compare this with the spurious printed Journal, and the falsity of the latter clearly appears. The printed Journal reads:—

"The foregoing declaration was, by order of Congress, engrossed, and signed by the following members."

Then follow fifty-five names of gentlemen, many of whom were not members of Congress at that time.

The other copy of the manuscript Journal is as follows, so far as it differs from the first copy; and, as will be seen, the differences are merely verbal. This is found in enclosure No. 2.

[Journal entirely in Manuscript, with the Declaration in the same Handwriting, from May 14 to Aug. 6, 1776.

So much of the minutes under 4th July as relates to the Declaration.]

Agreeable to the order of the day the Congress resolved itself into a committee of the whole to take into their further consideration the declaration and after some time

at variance with the printed Public Journal, though agreeing with each other in all essential particulars. In neither of them

The president resumed the chair &

Mr Harrison reported that the committee have agreed to a declaration, which *they desired him to report*

The declaration being read was agreed to as follows.

A Declaration by the Representatives of the United States of America in Congress assembled

[The italicized words do not appear in the Journal to which is attached the printed copy of the Declaration.]

Mr. Dwight has placed me under additional obligations by the following letter, which throws much light upon the Journals of the Old Congress; and it is matter of regret that I am unable to present in this connection several valuable enclosures which he caused to be prepared.

DEPARTMENT OF STATE, WASHINGTON, Dec. 23, 1884.

As to the several Journals: Charles Thomson, as you know, was the "perpetual Secretary" of the Continental Congress; and, from all I can gather, he was a man of the strictest probity, and was most conscientious in the discharge of his important trusts. It would be interesting to discover how much influence he exerted in the first councils. I am confident it was considerable. To him we owe the preservation of all the records of the Continental Congress,—not only the Journals, but all those fragments now so precious, e.g., the original motions, the reports of committees, the small odds and ends, which are the small bones of history. They are all in this room, and at my elbow as I write. One of them, for instance, is the original of Lee's motion reproduced, but without proper explanation, by Force, in the "American Archives." You allude to it.

The Journals of Congress are, with some very few exceptions, entirely in the handwriting of Thomson. He seems to have been present at every session. The series of the archives of the Congress very properly begins with what he termed the "Rough Journal," beginning with the proceedings of Sept. 5, 1774, and ended with the entry of March 2, 1789, and was probably written while Congress was sitting, the entries being made directly after each vote was taken. It is contained in thirty-nine small foolscap folio volumes. The second of the series is a fair copy of the "Rough Journal," from Sept. 5, 1775, to Jan. 20, 1779,—in ten volumes folio. From this copy, it is stated in a record in the Bureau, "the Journals were printed; and such portions as were deemed secret were marked or crossed by a committee of Congress,—not to be transcribed." In this he has amplified some entries, and given more care to the style and composition of his sentences.

This explanation will account for the "two Public Journals." The "Rough Journal" should be regarded as the standard. No. 3 of the series of archives is the "Secret Domestic Journal," comprising entries from May 10, 1775, to Oct. 26, 1787; the fourth number is a Secret Journal, foreign and domestic, comprising entries from Oct. 18, 1780, to March 29, 1788 (the foregoing two numbers form two volumes). No. 5 is in three volumes, and is called "Secret Journal of Foreign Affairs," Nov. 29, 1775, to Sept. 16, 1788. No. 6 is in three volumes, and is designated "An imperfect Secret Journal;" it contains entries made from the Journal of Congress, Sept. 17, 1776, to Sept. 16, 1788. No. 7 is a small quarto volume, containing but few entries, called the "More Secret Journal." No. 8 is



is found an order for the subscription of the Declaration, July 4, nor any copy or account of a declaration so signed,

a folio, secret Journal A, 1776-1783; the contents of this volume appear to be merely minutes of proceedings, which were afterwards entered on the Public Journals. (This volume does not contain any record of July 4, 1776, or any reference to the signing of the Declaration.) The foregoing will afford you, I trust, a sufficiently just idea of these invaluable records.

The copy for the first edition of the Journals was probably prepared by Charles Thomson; but he was not responsible for the matter printed therein, as he distinctly states on the fly-leaf of the first volume of the fair copy (No. 2 of the series), that the selection was made by a Committee of Congress. The responsibility for the introduction of the names of the signers at the close of the Declaration cannot now be determined. It is entirely reasonable to suppose, however, that there was no intention to mislead; but that, as the names appeared in no other printed form, they were inserted for the information of the public. The Secret Journals were naturally not then suited to publication. To be sure, we must acknowledge that the entry of the record of engrossing and signing on the Secret rather than on the Public Journal, indicates that there existed some reason for considering these acts as of a confidential character.

The Journals, it must be remembered, were not the accounts of an individual, but were the accepted records of Congress; that then, as now, each day's proceedings were read to that body before they obtained the authority necessary for their preservation. I dwell upon this in order that you may not attribute the discrepancies between the originals and the printed journals to the carelessness of a clerk or of the Secretary. In my opinion, the responsibility rests with Congress alone.

That part of the Journal of 1776 as printed by Peter Force in the "American Archives" appears to me, from a hasty comparison, to be a mongrel, made up primarily from the first printed edition of 1777, corrected in some few particulars by the copy from which that edition was printed (No. 2 of the series described above), and punctuated and capitalized to suit his own fancy. He has in the punctuation and capitalization altered both the manuscript and printed versions. The matter he appended as notes, and which seem as much a part of the original record as the caption and names of the signers in the printed Journal of 1777, was taken from a variety of sources in the Archives, to which he, of course, had access. Mr. Sparks offended also, and was summarily criticised, for similar changes of the originals he printed.

With the original of Madison's "Journal of the Debates in the Constitutional Convention" we have the autograph notes written out by Jefferson for Madison, concerning the debates on the Declaration, which Mr. Gilpin has carefully printed in the "Papers of James Madison" (vol. i. pp. 9-39). It might be profitable to compare that version with the portions of the same printed in vol. i. of the Writings of Jefferson, and in vol. i. of Elliot's Debates.

In view of the fact that the Secret Journal containing the record of July 19 and August 2 was published in 1821, it seems to me very strange that the recollections of Jefferson and others should have been preferred to that veritable official account of the signing.

I am very incredulous as to the existence of a signed copy of the Declaration prior to the engrossed copy. We have the veritable first draught in the writing of Jefferson, and the remains of the copy engrossed and signed on parchment alluded to in the Secret Journal entry of July 19. Had there been another

nor any reference to such a paper. On the other hand, in one of them, which is the same as is given in the Proceedings in Force's "Archives," is pasted a printed copy of the Declaration, authenticated by the signatures of Hancock and Thomson, agreeably to the order of Congress, and is doubtless one of the copies printed on the night of the 4th or morning of the 5th of July. Had the printed Public Journal followed this manuscript, which conforms to and explains all extrinsic facts appertaining to the Declaration, all subsequent misapprehension would have been avoided. Governor McKean had special reasons for investigating the matter at an early date. He was present on the 4th, and voted for the Declaration; but inasmuch as it was not signed on that day, as he asserted, his name did not appear on the Journal, nor on the copy engrossed on parchment and signed August 2, since at that time he was away from Philadelphia, with the army. Some time later — Bancroft says, in 1781 — he was allowed to affix his signature to the engrossed copy, where it now appears. His signing in 1781 did not affect the *Journal* of July 4, 1776, as Jefferson seems to have supposed would be the case with Thornton, and the New York and Pennsylvania members, who were likewise absent July 4. McKean's name does not appear among the

bearing the signatures of the delegates, it is fair to suppose that the same care for its preservation would have been exercised as that to which we owe the other records and documents. It would not have invalidated the second copy. The actual signing of such a preliminary copy would have added no more strength to the action of Congress in adopting the Declaration than the entry on the Journal of that action, which was and is now a conclusive and binding record. It was not signed on the Journal; such a signing would have been a very irregular proceeding. It seems to me that a special direction to the President of Congress and to the Secretary to authenticate the copies sent out by order of Congress was not deemed necessary; such an authentication was incident to the duties of their respective offices. The copies so sent out bear, not written, but printed signatures.

Of that first printed broadside we have the copy wafered in the Journal, and another among the papers of Washington, which he read, or caused to be read, to the army, as mentioned in General Orders of July 9, 1776.

As you have clearly demonstrated, but for the insertion of the names in the first printed Journal so as to appear a part of the record of the 4th July, all this mystification could not have occurred. But I repeat that the insertion is not to be regarded as an intention to mislead, but to enlighten, the public; and that it is so printed is due to inadvertence.

Believe me to be, my dear sir,

Very sincerely yours,

THEODORE F. DWIGHT,  
Chief of Bureau of Rolls and Library.

signers of the Declaration of Independence, in the Journal, printed in 1777, nor in the edition of 1800. It is given in that of 1823, and possibly in some of an earlier date, which I have not seen. Now, at any time after 1781, if the Declaration were printed from the engrossed copy, it would include McKean's signature; but if from the printed Journal of July 4, his signature would not be found. It was just this discrepancy between copies that led to an investigation. In the letter already quoted from, Governor McKean says: "In the manuscript Journal Mr. Pickering, then Secretary of State, and myself saw a *printed half-sheet* of paper, with the names of the members afterwards in the printed Journals stitched in;" and in another letter,<sup>1</sup> June 17, 1817, he says that neither the manuscript of the Public Journal nor that of the Secret Journal has any written names annexed to the Declaration. In this statement he is undoubtedly correct; but apparently he has confounded, in the lapse of years and by the loss of memory, the printed copy authenticated by Hancock and Thomson, which is wafered to the manuscript Journal, with a copy bearing signatures, which does not now appear. Trusting to this statement of Governor McKean respecting the copy of the Declaration, with the signatures of the signers, stitched into the manuscript Journal, I had supposed, until I received Mr. Hamilton's letter, that the falsification was in the record; but it now appears that it is in the printed Journal.

As has been said, had the Public Journal, as we have it, been printed from the manuscript Journal, as it stands to-day, with the printed Declaration omitting the authenticating signatures of Hancock and Thomson, we should have a narrative of the proceedings on the 4th precisely as they occurred. But, unfortunately, it was not so printed. Published as it was, and as we have it, the Journal is doubtless erroneous and misleading; and though, at this late day, we may be unable to divine all the reasons which prompted the course that was pursued, there is no evidence of a design to falsify the record. When "the committee appointed to superintend the publication of the Journals" were empowered and instructed, by a resolve of Sept. 26, 1776, to employ Robert Aitkin "to reprint the

<sup>1</sup> Portfolio, September, 1817, p. 246.

said. Journals from the beginning, with all possible expedition, and *continue to print the same*,"<sup>1</sup> Charles Thomson probably furnished him with a copy of the proceedings of the 4th July, and their authority did not extend to the Secret Journal, in which alone was entered the resolution of July 19, for the engrossment of the Declaration on parchment, and the subsequent signing thereof, August 2. But when they furnished copy for the 4th of July, they appended to the Declaration the following statement: "The foregoing declaration was, by order of Congress, engrossed, and signed by the following members." We infer, and have a right to infer, that the engrossment and signing were on July 4; but the printed Journal so affirms only by implication. All the facts stated were true at the time of their statement, some time subsequent to September 26. The error consists in throwing back to July 4 the order for engrossment, of July 19, and the signing, of August 2. Any more specific statement of these later matters would have been a breach of the resolution of secrecy, which was repealed, and then only virtually, by a resolve, fifty years afterwards, to print these Secret Journals. The veil of secrecy which rested on the transactions of July 19 and August 2 undoubtedly had a tendency to refer the events of those days to July 4. Evidently Mr. Jefferson, one of the most intelligent and active participators in these events of July 19 and August 2, was surprised when they were recalled to his notice, in 1822, by the Secret Journal, which had then been published for the first time. Apparently, and not without reason, under these circumstances of secrecy, every transaction relating to the Declaration of Independence had been referred, both by Jefferson and John Adams, to the 4th of July. For more than six months Congress had withheld the names of those signing the Declaration. This may have been from prudential considerations. Unless the Declaration was made good by arms, every party signing it might have been held personally responsible for an overt act of treason. Whether this would have been the case in respect to Hancock and Thomson, who were not acting in any personal capacity, and possibly even in opposition to their own convictions, in accordance with an express direction of Congress, may be a matter of question. But whatever may

<sup>1</sup> Journal, vol. ii. p. 891.

have been their reasons, there is no doubt as to the fact that Congress not only sat with closed doors, and pledged their members to secrecy,<sup>1</sup> but withheld even from its Secret Journals some of its most important proceedings. The fact has already been stated, in regard to this very matter of independence, that Congress had deemed it imprudent to extend on its Journals Lee's resolutions on which the battle was fought; and had they not been preserved on the files, we should never have known their authentic form from any public record.<sup>2</sup>

Such are the facts respecting the signing of the Declaration of Independence, and the errors in the printed Journals recording the same.<sup>3</sup>

It is to be regretted that doubt should rest upon transactions, and the records of transactions, which are connected with an event so important in the history of a nation as the declaration of its independence. The printed Journal, so far as relates

<sup>1</sup> A fac-simile of the Resolution of Secrecy of Nov. 9, 1775, may be found in American Archives, vol. iii. 4th ser. p. 1916.

<sup>2</sup> See fac-simile of these resolutions. *Ibid.*, vol. vi. 4th ser. p. 1700.

<sup>3</sup> In the foregoing paper it has been my purpose to discuss a single question: Was the Declaration of Independence signed July 4 by the members of Congress? Had my aim been more popular, I should have drawn, for more interesting particulars, upon the authorities cited in Winsor's "Handbook of the American Revolution," p. 103 *et seq.*, and Poole's "Index," p. 339, title "Declaration of Independence."

The reader who has followed me in the foregoing paper may ask why neither Force, Webster, Bancroft, nor Winthrop has explained the matter, instead of each resting upon his own authority in opposition to the express statements of Jefferson and Adams, who have the support of the Journal. The answer, except so far as Force is concerned, is obvious: that neither the observance of proportion in a general history, nor the limits of a 4th of July oration will allow of minute and tedious explanations. But with respect to Force, the case is different. The limits of his monograph on the Declaration were not restricted. He was brought face to face with the question. He understood it better than any other man, and better than any other he could have explained the difficulty had he chosen to do so. He did not so choose. The trouble with him was, that his pamphlet was controversial. It was an attack on that part of Lord Mahon's "History of England," in which he gives an account of the Declaration of Independence. Following Jefferson and the printed Journals of Congress, Lord Mahon had said: "The Declaration of Independence, appearing the act of the people, was finally adopted and signed by every member present at the time, except only Dickinson. This was on the 4th of July." — *History of England*, vol. vi. p. 98. Force's curt answer to this is as follows: "The Declaration was not 'signed by every member present on the 4th of July,' except Mr. Dickinson." — *Force's Declaration of Independence*, p. 63. Thus he made a point against Lord Mahon on the score of accuracy. True, Force knew how, and by what authority, his lordship was misled. He could have given the explanation which would have relieved the historian; but that was not his purpose.

to what took place on the 4th of July, 1776, is clearly untrustworthy; and one of the original manuscript journals is not altogether accurate. When the record was extended on that Journal, by wafering to a page apparently left blank for the purpose, the printed copy of the Declaration of Independence authenticated by the signatures of Hancock and Thomson, it was made to assert facts as of the 4th of July which actually occurred on the 5th. The authentication and the printing of the Declaration were ordered on the 4th as something to be done later; and should not have been entered as something done on that day, as the Journal affirms. Nor is this unfortunate error confined to the records. The engrossed copy of the Declaration which was signed on the 2d of August is made to say, in substance, that all the names attached to it were there subscribed, on the 4th of July; and there is nothing on the instrument to indicate that any signatures were added on the 2d of August, and even of a date so late as 1781, when McKean signed it.

These errors are the more to be regretted, since they are irremediable. They must stand on the record for all time. The Journals, in no new edition, will be changed so as to conform to the truth; and should they be so changed they would lose their authority as the Journals of Congress. But though the record must stand, and the engrossed copy and all its fac-similes continue to assert that it was signed July 4, there can be no objection to the reconstruction of these documents, as matters of history, so that they shall conform to the truth.

The several entries on the Journal which relate to the Declaration of Independence should read as follows:—

“July 4, 1776. The Declaration being read, was agreed to, as follows: [Here should appear the Declaration without any signatures, or authentication, as is the case with one of the manuscript Journals.]

“*Ordered*, That the Declaration be authenticated and printed. That the committee appointed to prepare the Declaration superintend and correct the press, etc.

“July 19. *Resolved*, That the Declaration passed on the 4th be fairly engrossed on parchment, with the title, etc.; and that the same, when engrossed, be signed by every member of Congress.

“Aug. 2. The Declaration agreed to on the 4th July, being engrossed and compared at the table, was signed by the members, agreeably to the resolution of July 19.



"Nov. 4. The Hon. Matthew Thornton, Esq., a delegate from New Hampshire, attended, and produced his credentials.

"*Ordered*, That Mr. Thornton be directed, agreeably to the resolve passed July 19, to affix his signature to the engrossed copy of the Declaration, *with the date of his subscription*.

January 18, 1777. *Ordered*, That an authentic copy of the Declaration of Independence, with the names of the members of Congress subscribing the same, be sent to each of the United States, and they be desired to have the same put upon record.

"—, 1781. Whereas it has been made to appear to this present Congress that the Hon. Thomas McKean was a member of Congress from Delaware in the year 1776, and that, on the 4th July of that year, he was present and voted for the Declaration of Independence, but being absent with the army at the time of the general subscription of that instrument on the 2d of August: therefore,

"*Resolved*, That the said Hon. Thomas McKean be allowed to affix his signature to the aforesaid Declaration, he adding thereto the date of such subscription."

Such was the course pursued by McKean and other post-signers of the Articles of Confederation, which were agreed to by Congress, July 9, 1778. McKean's name is signed as follows: "Tho. McKean, Feb. 12, 1779."

With the foregoing changes and additions the Journal of Congress would conform to the real transactions respecting the Declaration of Independence.

The engrossed copy reads as follows: "In Congress, July 4, 1776. The UNANIMOUS DECLARATION of the thirteen united STATES OF AMERICA." After the Declaration follow the signatures. They should have been preceded by some such recital as the following: "The foregoing Declaration having been agreed to on July 4, by the delegates of the thirteen united colonies, in Congress assembled, and the same having been engrossed, is now subscribed, agreeably to a resolution passed July 19, by the members of Congress present this 2d day of August, 1776."

Independence was announced to the world July 4, 1776. That is glory enough for the most insatiate of days. It needs not the honors of the 2d of July nor those of the 2d of August. On the former of these days, when Lee's resolution, "that these United Colonies are, and of right ought to be, free and independent States; and that all political connection between

them and the State of Great Britain is, and ought to be, dissolved," — when this resolution was agreed to by the Congress on the 2d of July, the battle had been fought and the victory won. Two days later came the 4th, which, like all its successors, was less the occasion of a battle than of a triumph. What was done on the 2d of July realized the ardent wishes of the patriotic party in thirteen colonies. Its consummated act was a notable achievement of advocacy; and the great orator fondly hoped that it would be celebrated to the remotest times.<sup>1</sup> But it is otherwise. The glory of the act is overshadowed by the glory of its annunciation.

The Declaration of Independence, and the true place of its

<sup>1</sup> John Adams, writing to Mrs. Adams from Philadelphia, 8d July, 1776, said: "Yesterday the greatest question was decided, which ever was debated in America, and a greater, perhaps, never was nor will be decided among men. A resolution was passed without one dissenting colony, 'that these United Colonies are, and of right ought to be, free and independent States,' etc. You will see in a few days a Declaration setting forth the causes which have impelled us to this mighty revolution. . . . The second day of July, 1776, will be the most memorable epocha in the history of America. . . . It ought to be commemorated, as the day of deliverance, by solemn acts of devotion to God Almighty," etc. — *Works*, vol. ix. p. 417. But it was to be otherwise. The second day of July has altogether passed from the memory of men. In fifty years from that time the editor of Niles's "Weekly Register," shortly after the death of Adams and Jefferson in 1826, quoting the above letter, changed its date from the 3d to the 5th of July, and printed the passage, "the second day of July, 1776," as follows: "the Fourth of July, 1776, will be a memorable epoch in this history of America!"

Even so careful a writer as Mr. Webster fell, in his later life, into the same error. From the accuracy of his account of the authentication of the Declaration of Independence, it is evident that he had examined all that had been published on that subject before 1826. Nothing of value has since been added to his statement, while some of the later glosses could well be spared. — *Works*, vol. i. p. 129. But he did not undertake to explain how the confusion arose: perhaps he did not even know, since, when he wrote the eulogy on Adams and Jefferson, he was far away from the original Journals, an inspection of which alone discloses the source of the error. In this eulogy he has given two supposititious speeches on the resolution, July 2. That these speeches were on the resolution, and not on the Declaration, is evident from the opening sentence, "Let us pause! This step, once taken, cannot be retraced. This resolution, once passed, will cut off all hope of reconciliation." — *Works*, vol. i. p. 132. Notwithstanding this, Mr. Webster, writing, in 1846, to one who had inquired respecting the authenticity of the speech attributed to John Adams, said: "The day after the Declaration was made, Mr. Adams, in writing to a friend, declared the event to be one which 'ought to be commemorated, as the day of deliverance, by solemn acts of devotion to God Almighty.'" — *Works*, vol. i. p. 150. It is needless to add that Adams's letter was written one day before the Declaration, instead of the day after, and referred to the Resolution of Independence of July 2, and not to the Declaration of July 4. For some account of the origin of the change of the date of John Adams's letter, see "Letters Addressed to his Wife," vol. i. p. 128, note.

author in the political history of the Revolution, are interesting themes. During the preparation of this paper my own mind has been drawn to them, and at some future time I may have a word to say upon them.

Mr. DEANE presented from Mrs. Lucia Alexander, of Florence, formerly of Boston, two samplers wrought by the sister and niece of Governor Hutchinson, and brought from Italy by Mrs. Isabella James, of Cambridge.

William G. Russell, LL.D., and Edward J. Lowell, A.M., both of Boston, were elected Resident Members of the Society.

Dr. GREEN presented the following paper:—

An insurrection, known as Shays's Rebellion, broke out in Massachusetts during the autumn of 1786, and threatened at one time the most serious consequences. The causes which led to it were various and complicated. The disaffection was confined to certain counties, and in Middlesex restricted to the neighborhood of Groton. Many of the insurgents had served in the army during the Revolution, and left an honorable record. The chief conspirator was Daniel Shays, who had fought at Bunker Hill, and later in the war had worked his way up to a captaincy. It was their aim to redress certain grievances which bore heavily on the people, but they had not as yet learned the lesson of doing it through law and order. Brought up in the use of arms, they had been taught to remedy political evils by a resort to force.

During the Revolutionary period heavy debts had been incurred, and taxes were unusually oppressive. These and other causes gave rise to the discontent which culminated in the rebellion. Many a farmer had sold his home to pay his notes, and the people were poor. Often the last cow or the last acre of land was taken to satisfy the money-lender, and distress was well-nigh universal. Northern Middlesex appears to have had more than its share of these persecutions, and this may explain why the dissatisfaction in that section was more general than elsewhere. The Rev. Grindall Reynolds, of Concord, who a few years ago investigated the subject very thoroughly, informs me that, in 1784 and the two succeeding years, every fourth man in Groton, if not every third, was subjected to one, two, three, or a dozen suits for

debt. Hardships like these would surely produce a feeling of resentment in any community. Mr. Reynolds gives me the following facts, gathered from manuscripts among the State Archives, which show that the uprising in Middlesex was due to four or five towns only. When the oath of allegiance was administered to those who had taken part in the mobs, there were 107 from Groton who took it, 67 from Townsend, 62 from Shirley, 39 from Pepperell, 10 from Westford, 3 from Ashby; while there was only one each from Framingham and Chelmsford, and none from the other thirty-three towns in the county.

"The first mutterings of discontent were heard in 1784, when Groton and Shirley appointed delegates to meet with other towns," says Mr. Reynolds, in Drake's "History of Middlesex County" (vol. i. p. 392); but beyond this I find no record to show what was then done, or even whether the convention was held. Two years later, another attempt was made to give form and shape to the spirit of dissatisfaction at that time prevalent in northern Middlesex. Unfortunately, a majority of the voters in Groton were in sympathy with this movement; and they petitioned the selectmen to call a town-meeting, and dictated the articles to be considered. The selectmen, though not approving of the measures, complied with the request, and issued the following warrant, as appears from the town records:—

June 1786.

COMMONWEALTH OF MASSACHUSETTS, MIDDLESEX SS.

To Joseph Moors Esq<sup>r</sup> one of the Constables of the Town of Groton  
in said County Greeting

You are hereby required to Notify & warn the freeholders & other Inhabitants of the said Town Qualified by Law to vote in Town affairs (as are named on the list hereunto annexed,) to assemble and meet at the publick meeting house in said Town on Tuesday next [June 27], Nine o'clock before noon, in Consequence of the following request Signed by Sixty Eight persons and to act on the Several articles therein contained, which request is as followeth viz

To the Gentlemen Selectmen of the Town of Groton, we the Lawful & legal voters of said Town Humbly request that a Town meeting may be called as Soon as possible and Insert the following articles in your Warrent Viz.

First, to Choose a moderator to regulate s<sup>d</sup> meeting.

2<sup>y</sup> to Choose a man Suitable to take a Copy of the Votes in s<sup>d</sup> meeting.

3<sup>y</sup> To Choose a Committee to Correspond with the other Committees of any Towns in this Commonwealth Relative to our publick Grievances and that s<sup>d</sup> Committees Draw up a Petition to lay before the General Court for a redress of the same.

4<sup>y</sup> to See if the Town will Give s<sup>d</sup> Com<sup>tee</sup> Instructions relative to their proceedings.

5<sup>y</sup> To See if the Town will Vote that the General Court be removed out of Boston.

6<sup>y</sup> To See if the Town will Vote not to have any Inferior Court

7<sup>y</sup> To See if the Town will Vote not to have more than one attorney in a County to Draw writs & that he is paid the Same as the States attorney.

8<sup>y</sup> To See if the Town will Vote that there be a stop put to all Law Suits of a Civil nature untill there is a Greater Circulation of money than there is at present

9<sup>y</sup> to see if the Town will Vote that there be a bank of paper money made sufficient to pay our foreign Debts and to chose a committee to Receive the produce of our land at a Reasonable price in Exchange for s<sup>d</sup> money and export the same to foreign Parts for money & Bills of Exchange or other Articles Equal to the same that will Discharge s<sup>d</sup> Debts and also another Bank to pay our Domestick Debts.

10<sup>y</sup> To see if the Town will Vote that the S<sup>d</sup> paper money be Received in all payments Equal to Gold & Silver and he that Refuses to Take the same shall Loose his Debt.

11<sup>y</sup> To see if the Town will Vote that all Bonds and notes or other Debts be Discharged by them that they were first Contracted with or given to or their Heirs &c and that S<sup>d</sup> Creditors shall make Discharge of s<sup>d</sup> Debts if a lawfull tender be made.

12<sup>y</sup> To see if the Town will Vote that there Shall be no Distress made by any Constable Sheriff for Rates or other Debts untill there is a greater Circulation of money then at present.

13<sup>y</sup> to see if the Vote that the First holders of publick Securities shall draw their full sum & interest and all those that have purchased s<sup>d</sup> Securities Shall give in on oath what they gave for the same and Shall Receive no more of the publick Treasurer Including Interest.

14<sup>y</sup> To see if the Town will Vote to open our Ports to all nations that a free trade may commence to the Good of the Community at large.

15<sup>y</sup> To see if the Town will Vote to Chose a Committee of safety to see that there is no more Infringements made on our Injured Rights and priviledges — and act [on] any thing Relative to the above Articles or any other things which may be Necessary for the good of the Publick at Large.

Benj <sup>e</sup> Page	Peletiah Russell	David Woods
Eph <sup>m</sup> Ward	Thomas Farwell	John Woods
Stephen Munroe	Richard Sawtell	Benj <sup>e</sup> Hazen
Jabez Holden	Samuel Kemp Jr.	Jason Williams
Eben Tarbell	Ephraim Kemp	Daniel Williams
John Moors	Amos Adams	Jacob Williams
Amos Stone	Caleb Blood	Shattuck Blood
John Park	Benj <sup>e</sup> Tarbell	David Blodget
Eben <sup>r</sup> Farnsworth	Sam <sup>l</sup> Hemenway	James Bennet
Jonas Stone	Zech <sup>r</sup> Fitch	Isaac Lakin
Jon <sup>a</sup> Stone	James Shiple	Sam <sup>l</sup> Hartwell
Asa Stone	Joseph Shed	John <sup>his</sup> X Lawrance <sup>mark</sup>
Thomas Hubbard	Oliver Fletcher	John Gragg
Jon <sup>e</sup> Lawrence	Josiah Hobart	Job Shattuck
Robert Ames	Oliver Parker	Job Shattuck Jr.
Amos Ames	Royal Blood	Benj <sup>e</sup> Lawrance
Oliver Shed	Phinehas Parker	Samuel Gragg
John Fiske	Jon <sup>a</sup> Worster	Jacob Lakin Parker
Asahel Wyman	Ephraim Nutting	Jacob Gragg
Joh Sartell	James Wood	Oliver Blood
Jonathan Fiske	Nath <sup>l</sup> Sartell	Levi Kemp
Amos Lawrence	Jacob Patch	Timothy Woods
Enoch Cook	Sam <sup>l</sup> Chamberlin	

And you are to make return of this Warrant with your doings therein to the Town Clerk of said Town or to some one of the Selectmen of the s<sup>d</sup> Town by Tuesday next [June 27.] at Eight o Clock beforenoon hereof you will not fail at the peril of the Law. Given under my hand & seal this 24<sup>th</sup> day of June A. D. 1786.

By order of the Selectmen of said Town.

ISAAC FARNSWORTH Town Clerk

These several articles were referred to a committee, chosen at the meeting, consisting of Dr. Benjamin Morse, Captain Job Shattuck, Ensign Moses Childs, Captain Asa Lawrence, and Captain Zechariah Fitch, to whom "Discretionary power" was given to act as they thought best. They were requested to correspond with the committees of other towns in the Commonwealth, in relation to their public grievances, and to petition the General Court for redress.

The "request" contained in the warrant shows clearly the utter want of appreciation of the true causes of their troubles, on the part of the signers, as well as the proper remedies for relief. Their political notions were crude in the extreme, and in some respects agree well with the views of those who now advocate free trade and fiat money.

Committees from Groton, Pepperell, Shirley, Townsend, and



Ashby met at Groton on June 29, 1786, two days after the town-meeting, in order to make preparations for calling a county convention. At this preliminary meeting a committee was appointed, of which Captain John Nutting, of Pepperell, was the chairman, who addressed a circular letter to the selectmen of the other towns in Middlesex County. They were invited to send delegates to a convention, to be holden at Concord, "to consult on matters of public grievances and embarrassments, and devise a remedy therefor." At Newton a town-meeting was held expressly for the purpose of considering this letter, when a very sharp and decisive answer was sent by that town to Captain Nutting, declining to take part in the affair. Extracts from the reply are found in Francis Jackson's "History of Newton" (pp. 211-213).

The county convention was afterward held at Concord, on August 23, — the immediate result of the meeting of the town committees at Groton. Its object was to consult on public grievances; and one such grievance was the Court of Common Pleas, which was to sit on the 12th of the following month. The malcontents felt a special spite against this court, sometimes called the Inferior Court, as it was the principal source of the executions by which property was sold to satisfy the demands of the tax-gatherer. The convention voted ten articles of grievance, and adopted an address to the public, which was ordered to be printed, when it adjourned to meet again on the first Tuesday of October.

Trouble was now feared, and means were taken to prevent it. But notwithstanding these measures, a mob of about a hundred men from Groton and its neighborhood, under the command of Job Shattuck, assembled at Concord, on the afternoon of September 12, in order to prevent the session of the court. They lodged that night in the court-house, and under such other temporary shelter as they could find, and on the next day took possession of the ground in front of the court-house. Strengthened by considerable accessions to their numbers, they succeeded in their aim so far as to prevent the sitting of the court; and this produced a great excitement, not only in Middlesex, but throughout the State. Flushed with success, the rioters were now determined to suppress the session of the court to be held at Cambridge on November 28, though some of them were inclined to go no further against the govern-

ment, but in this were overruled by the leaders. As the day drew near, there were unpleasant rumors of a probable collision between the authorities and the rebels, and due care was taken to avert it. The show of strength on the part of the government, and the want of discipline among the insurgents, prevented the disaster.

John Quincy Adams, then a young man in college, writes in his journal, under the date of November 27, 1786,—as quoted by the Hon. Charles Francis Adams in his Phi Beta Kappa address, at Cambridge, on June 26, 1873:—

“This evening, just before prayers, about forty horsemen arrived here, under the command of Judge [Oliver] Prescott, of Groton, in order to protect the court to-morrow from the rioters. We hear of nothing but Shays and Shattuck. Two of the most despicable characters in the community now make themselves of great consequence.” (Page 6.)

General John Brooks, afterward the Governor of the Commonwealth, writes from Medford, under the date of November 27, 1786, to Commissary-General Richard Devens, that “one hundred Volunteers are expected in this town every moment from Groton to support the Court at Cambridge tomorrow.”<sup>1</sup> This is, undoubtedly, an allusion to the force under Judge Prescott, who was a prominent military character in the county. He had previously held in the militia the respective commissions of major, lieutenant-colonel, colonel, brigadier-general, and major-general.

On November 27 a small party of insurgents, headed by Oliver Parker, of Groton, marched into Concord, on their way to Cambridge with the intention of suppressing the court. This movement created fresh excitement, as the Middlesex leaders had indeed promised to remain quiet, and their appearance now was quite unexpected. Job Shattuck joined them later, coming in a more secret manner. It was intended that he should have command of the party, and act with the rebel force from Worcester County; but, owing to some want of co-operation between them, their plan fell through. At this failure the ringleaders became disheartened and scattered, when most of them returned to their homes. Warrants were at once issued for the arrest of the principal offenders.

<sup>1</sup> Mass. Archives, vol. clxxxix. p. 85.

Executive action was based on the following communication:<sup>1</sup>—

TO THE GOVERNOR AND COUNCIL OF MASSACHUSETTS

I hereby certify that Job Shattuck & Oliver Parker Gentlemen & Benj<sup>r</sup>. Page Yeoman all of Groton & Nathan Smith & John Kelsey of Shirley Gentlemen, all in the County of Middlesex & Commonwealth aforesaid have been active in the late rebellion & stirring up the people to oppose Government, are therefore dangerous persons & pray a Warrant may be issued to restrain them of their personal Liberty.

OLIVER PRESCOTT.

Boston Nov<sup>r</sup> 25<sup>th</sup> 1786

A company of horsemen, under the command of Colonel Benjamin Hichborn, aided by another party under Captain Henry Woods, of Pepperell, was sent from Boston to secure the subjects of the warrant.

George R. Minot, in "The History of the Insurrection in Massachusetts" (pp. 77-79), gives the following account of the affair:—

"The execution of these warrants was committed to the Sheriff of *Middlesex* [Loammi Baldwin], and others, to whose aid, a party of horse, who had voluntarily associated for the support of government, under Colonel *Benjamin Hichburn*, was ordered from *Boston*, early in the morning of [Wednesday] the 29th of *November*. They were joined by a party from *Groton*, under the command of Colonel *Henry Wood*, and the whole consisting of more than 100, proceeded immediately for *Concord*. On their arrival there, the *Groton* horse, as being best acquainted with the country, and least liable to excite an alarm from an unfamiliar appearance to the inhabitants, were despatched to secure the subjects of the warrant. These returned at night, with two prisoners, *Parker* and *Page*, but *Shattuck*, the principal leader, had taken an alarm and escaped. Under this disappointment, at midnight, in the midst of a violent snow storm, the whole party were ordered on to *Shattuck's* house in *Groton*, where they did not arrive till late in the morning. Here they found that *Shattuck* had fled to the woods. A search was immediately commenced, and a judicious pursuit discovered him to a party of a few persons, led by Colonel *Wood* himself. *Shattuck* obstinately resisted, and was not taken until he had received several wounds, one of which was exceedingly dangerous, and which he returned, though without much injury. The three principal objects of the warrant being thus apprehended, the party returned to *Boston*, on the

<sup>1</sup> Mass. Archives, vol. clxxxix. p. 40.

next day but one after their departure, having pervaded the country for near fifty miles. The short time in which this excursion was performed with so large a body, and the extreme severity of the weather, rendered the execution of this service as honourable to the gentlemen who subjected themselves to it, as their motives in the undertaking were commendable."

Job Shattuck lived near Wattle's Pond, in a house which he built about the year 1782, still standing, and occupied by Harrison Holmes when the map in Mr. Butler's History was made. He is supposed to have passed the night before his arrest at the house of Samuel Gragg, two miles away from his own dwelling. When the company failed to find him at his home on the morning of Thursday, November 30, twelve men, under Sampson Reed, of Boston, proceeded at once to Gragg's residence, where there was reason to think he was hiding. They learned that he had been there, but had just left; and by the tracks in a light snow which had fallen during the previous night, they traced him to the neighborhood of his own house. Here he was taken by his pursuers, after a desperate resistance, on the banks of the Nashua River, almost within sight of his dwelling. A blow from the broadsword of F. C. Varnum, of Boston, made a fearful wound in Shattuck's knee, dividing the capsular ligament.

Another account of the arrests is found in "The Massachusetts Gazette," December 5, 1786, as follows:—

"We have the pleasure of announcing to the publick the very agreeable and authentick information of the safe return of the corps of volunteer horse, under the command of Col. Hichborn, after having achieved the object of their expedition, by the capture of *Shattuck*, *Parker* and *Page*, who have been the indefatigable fomenters of sedition in the county of Middlesex.

"Too much credit cannot be given the officers and men on this occasion, who performed a long and disagreeable march, a great part of the way in the night, in a heavy snow-storm, and in a very short period.— The people every where in the country, through which they passed, so far from the opposition which the rioters threatened, cheerfully gave them every assistance that was wanted. A company of horse, under Col. Wood, of Pepperell, were particularly active, and had the honour of securing two of the prisoners before the party arrived at Groton.— Shattuck, however, had found the means of eluding their vigilance— but upon the arrival of the troop in the vicinity of his house, a second

search commenced with renewed ardour—until he was finally discovered, pursued and apprehended—though not without a sharp conflict with one of the horse, in which much personal bravery was displayed—but upon two others coming up, he was obliged to surrender.—Shattuck was badly wounded in the knee, and the gentleman immediately engaged received a slight cut on his face.—These deluded and daring violaters of the publick peace had been in arms the day before in Concord, on their way to Cambridge, to stop the Court of Common Pleas, which is now sitting unmolested in that town.

"The most absurd and contradictory stories have been circulated throughout the country; and it may be truly said, that they have supported a bad cause by the most scandalous deception, as well to their own strength, as to the views of government.

"Every body joins in giving praise to the volunteers, who have done honour to their characters, and rendered the most essential benefit to the State by this achievement.

"Groton is about 43 [33?] miles from this town, so that what with the direct course, and the chase which they had before the seizure of Shattuck, who immediately fled to the woods, upon being discovered behind a barn, many of the company must have rode near one hundred miles from Wednesday morning to Thursday evening, and were some of them nine hours on horse-back, without scarcely dismounting in that time. There was not a gun fired at the horse, in the whole expedition, though it was generally believed that Shattuck had fortified his house in order to a vigorous opposition: This, however, proved not to be the case, for he had endeavoured to abscond, after trying in vain to raise a party for his protection.—The troop went in aid of the Sheriff, by order of his Excellency, when it was found that the late amnesty of government was without effect, in reclaiming these hardened offenders."

Captain Shattuck was carried to Boston on December 1, and committed to jail with Page and Parker, though these last two were soon afterward released on bail. Page's liberation was due, doubtless, to the following letter from Judge Oliver Prescott, one of the selectmen at that time: <sup>1</sup>—

GROTON Jany. 1<sup>st</sup> 1787.

SIR M<sup>r</sup> Benj<sup>t</sup> Page the State Prisoner with his Wife, begs to know of your Excellency, whither he can be admitted to Bail before the sitting of the General Court; as he has a large young Family suffering by his absence. M<sup>r</sup> Page is a man of property & Mess<sup>r</sup> Joseph

<sup>1</sup> Mass. Archives, vol. clxxxix. p. 57.

Allen & Jonathan Lawrence of Groton, men of property, will appear as sureties. M<sup>r</sup> Levi Kemp the bearer, went with s<sup>d</sup> Page on the 27<sup>th</sup> of Nov<sup>r</sup> last, to Carry a Letter from the Malcontents, to Capt. Pratt in Bristol County, & will inform you of their Conduct in that Journey. Your Excellency will be pleased to inform M<sup>r</sup> Kemp whither Page can be admitted to Bail, & what are the necessary requisites for that purpose.

I have the honor to be, with the most perfect Esteem,

Your Excellencies most Obedient, Hum<sup>l</sup> Servant;

OLIVER PRESCOTT.

THE GOVERNOR.

While in confinement Shattuck was treated kindly, and had the best of medical skill. "The Massachusetts Gazette," December 12, says:—

"*Shattuck*, the state prisoner now in this town, is amply provided with all the necessaries and conveniences proper for any person labouring under such a wound, as he received in his violent and obstinate resistance to the gentlemen who apprehended him; he is constantly attended by a number of respectable gentlemen of the Faculty, and treated with all the humanity that could possibly be shewn to any person whatever."

He remained in jail more than four months, but was finally released on April 6, under bonds of £200, and allowed to return to his family. The following letter relating to his son is on file:<sup>1</sup>—

GROTON Jan<sup>y</sup> 9<sup>th</sup> 1787

SIR Job Shattuck Ju<sup>r</sup> son of Capt. Shattuck the State Prisoner, earnestly requests your Excellency<sup>s</sup> permission to see his Father. — he hath been in Arms twice; & after his father was apprehended absconded & went into the Western Counties, but after his return came & Voluntarily took the oath of Allegiance a Certificate of which I have sent to the Secretary<sup>s</sup> office, & believe he will be a good Subject & I desire he may be allowed to return to his Family & Business. He will give an account of his discoveries in his Journey if interrogated.

I have the honor to be with the most perfect Esteem & respect,

Your Excellency<sup>s</sup> most Ob<sup>d</sup> Hle S<sup>t</sup>

OLIVER PRESCOTT.

THE GOVERNOR.

<sup>1</sup> Mass. Archives, vol. clxxxix. p. 71.



The following account of Shattuck's wounds is found in "The Massachusetts Gazette," January 5, 1787:—

"As the curiosity of the publick has been excited by the situation of *Job Shattuck*, now confined in the jail in this town; and as it is not improbable his real condition may have been wilfully misrepresented in different parts of the country, it is thought expedient to publish the following, which may be relied on as a true state of facts.

"About 10 o'clock in the morning of the 30th of November, he was overtaken by a party of the posse who attended the Sheriff. Being armed with a broad sword, he assaulted the party, and before he could be made a prisoner, and disarmed, he received several slight cuts in his face and hands, and a wound in the joint of his right knee, from a broad sword. His hands and face were soon healed.

"By the wound in the knee, the capsular ligament was divided in an oblique direction, on the antierior and external part. As soon as he could be brought to an house, his wounds were dressed; and as he was to be conveyed immediately to Boston, it was judged expedient to close the gaping wound by three stitches through the cellular membrane. In this state he was conveyed to town in a sleigh, the most easy mode of conveyance at this season of the year. On the first of December, he was lodged in Boston jail. Having lain a few hours in a room on the first floor, he was removed on the same day into an upper-chamber, warm and comfortable, with a good fire-place, and capable of free ventilation, a room usually appropriated for debtors, and accommodated with glass-windows, where he was provided with suitable bedding, fireing, and a faithful nurse, and every other necessary, attended by a number of the faculty of the town.

"The great degree of inflammation usually brought on by a wound on this part, and of such a nature, was in a considerable degree prevented by bleeding, cooling medicines, anodyne and sedative applications, and by keeping the limb in an easy posture, and for the first week, the wound wore as favourable an appearance as, from the nature of it, could be expected.

"A degree of pain and inflammation, however, continued, particularly on the external and upper part of the joint; and on Friday the 8th December, it was found necessary to open a sinus which had formed from the upper lip of the wound, and a little above the joint, which discharged a considerable quantity of matter. Notwithstanding this discharge, and the constant use of antiphlogistick applications, and a total abstinence from animal food, and every thing of a spirituous kind, and inflammation of all the parts about the joint continued, and did not begin to subside until Tuesday the 12th, when they became less turgid, and the wound, with the parts adjacent, assumed a more agreeable as-

pect, the matter discharged was of a good quality, the patient was in general free from pain, rested well at night, and discovered that inclination for food which proves the system to be at ease.

"The inflammation having now subsided, it was thought proper to give the bark and wine, in order to restore the strength of the patient, which had been much impaired by the fever and discharges of matter; and there was a pleasure in observing the agreeable appearance and improvement of the wound from day to day under this course. His recovery was evident, not only to the gentlemen who attended him, but was experienced by the patient, and drew from him his approbation and acknowledgment.

"Notwithstanding these promising circumstances, he was indulged, by government, in the privilege, enjoyed by every other citizen, to choose his own physician and surgeon, and, according to his own request, was delivered into the care of Mr. Kitteredge, of Tewksbury, on Wednesday the 20th; since which time, neither of the gentlemen, who had attended, have seen him, or been consulted in his case.

"[It is to be remarked, that the patient at this time acknowledged, and Mr. Kitteredge declared the wound to be in good order, and that it 'run good matter.']"

"The Massachusetts Gazette," January 26, 1787, announces that—

"A report having been circulated in the country, that Mr. Shattuck, one of the state prisoners, had died in jail, it is proper to inform the publick, that he was last evening as well as he has been for three weeks past; and that his recovery is not improbable."

In the month of May, Captain Shattuck was tried and convicted before the Supreme Judicial Court, and sentenced to be hanged on June 28; but, the day before this, a reprieve was granted to July 26; then, on the day preceding this, the execution of the sentence was again postponed to September 20, but on the 12th of that month he received a full and unconditional pardon.

Job Shattuck's life was one of large experiences. He was born on February 11, 1736, and at the early age of nineteen took part in the French War, serving through the campaign of 1755 under General Monckton in Nova Scotia; and later he was present at the battle of Bunker Hill. In the year 1776 he was lieutenant of a company that went to Boston after that town was evacuated by the British, and the next year he commanded a company raised in Groton, that marched to

Fort Ticonderoga. During the whole period of the Revolution he gave freely of his time and money to promote the popular cause.

In the autumn of 1781, Shattuck was engaged in what were then known as the Groton riots, incited by the opposition to the silver-money tax. He and sixteen other citizens of the town threatened and bullied William Nutting and Benjamin Stone, while attending to their duties as constables in collecting taxes. It was an affair that created a good deal of excitement in its day. At the trial he pleaded guilty, and was fined £10 and the cost of prosecution.

It is but just to the memory of Captain Shattuck to say that he was a member of the church and much respected by his townsmen. At the time of the rebellion he was near the middle age of life, and a man of great bodily vigor. He was the son of a respectable farmer, and himself a large landowner. Strong and athletic in person, skilled in the use of the broadsword and proud of the accomplishment, utterly insensible to fear and having a good war-record, — all these qualities, aided by his position and means, gave him great influence among his neighbors. He paid dearly for his errors, as the crutch which he used until the day of his death, January 13, 1819, would testify; and we can well afford to be charitable now to the poor misguided men who took part in that needless and wicked rebellion.

It should not be supposed, however, that the whole town of Groton sympathized with the insurrectionary proceedings, as there were many law-abiding citizens still remaining. The following extract is taken from "The Massachusetts Gazette," December 12, 1786:—

"It may serve, says a correspondent, to give information to the public, with respect to the importance of the *mob* in Middlesex, to know, that all the independent farmers, and all the sober, thinking people in that county, discovered the highest approbation of the measures lately taken to put a stop to all future tumults there; hoping, as they declared, that they should *now* hear and suffer no more from such infamous doings, and that the neck of sedition was broken. The people of Groton provided every refreshment, for the men and horse who went out to apprehend the leaders of the mob, and refused to receive one farthing's recompence, though ample pay was urged upon them."

During the period of Shays's Rebellion Groton was one of the three towns in Middlesex County where the Court of Common Pleas used to sit, Cambridge and Concord being the other two. In the spring of 1787 its sessions were removed by an act of the Legislature, presumably on account of the part taken by the town in this uprising.

In the year 1835 there was published anonymously at Philadelphia, a work entitled "The Insurgents: An Historical Novel," in two volumes. It is based on Shays's Rebellion, and the scene is laid mainly in the Connecticut valley. In the second volume is an account of Shattuck's capture, which is given with all the freedom of a novelist's pen.

During the excitement of the rebellion Aaron Brown's pot-ash works at Groton were burned, on November 30, by some of the insurgents. Brown was one of the two constables who served the warrants against the leaders on that very day, and the feeling toward him was bitter. The establishment was situated on the south side of the Broad Meadow road, near the village, just before you come to the meadow. "The Massachusetts Gazette," December 8, says:—

"On Thursday night [November 30], last week, the Pot-Ash works belonging to Mr. Brown, of Groton, together with several tons of Pot-Ashes, were destroyed by fire. The loss to Mr. Brown is very considerable; and we are well informed, that there is great reason to conclude it was occasioned by the malice of one or more of the insurgents belonging to Middlesex."

It appears from the General Court Records (vol. xlvii. p. 426), May 1, 1787, that Mr. Brown subsequently received some compensation for his losses. The entry is as follows:—

In the House of Representatives . . . Whereas Aaron Brown of Groton has represented to this Court, that his pot and pearl ash works were destroyed by fire, and also exhibited evidence which affords good reason to believe that the same were destroyed by some unknown and wicked incendiary, in consequence of his great exertions in the support of good Government.

And whereas it is incumbent on the Legislature of this Commonwealth, to encourage the manufacture of pot & pearl ash, as well as to provide, as far as consistently may be, that no person shall suffer injury in consequence of his exertions to support and defend the Government:—

*Resolved* That there be paid out of the Treasury of this Commonwealth to Aaron Brown from the money arising from the fines which are or shall be paid by persons who have been or shall be convicted of being concerned in the late rebellion, the sum of one hundred pounds, to enable him to rebuild his pot and pearl ash works — Provided notwithstanding if the said Brown shall hereafter discover the perpetrators of the aforesaid wicked act, and shall recover the damage he has sustained, he shall in that case repay the said sum of one hundred pounds, into the Treasury, taking duplicate receipts, one of which he shall lodge in the Secretary's office.

In Senate read & concurred

Approved by the Governor

The works were subsequently re-established on the same site, and the building was standing as late as 1820. Some of the old iron kettles, used in the manufacture of potash, were lying behind Major Gardner's store at a period many years later.

Mr. A. B. ELLIS introduced the following communication from Dr. Estes Howe, of Cambridge, in regard to the abode of John Hull and Samuel Sewall: —

CHARLES DEANE, Esq.

DEAR SIR, — As I said to you some time since that I thought the editors of Sewall's Diary had fallen, notwithstanding the great care with which their work has been done, into an error as to the place of residence of John Hull, I have given a considerable amount of time to the investigation of the facts, and I am satisfied that John Hull never lived at Cotton Hill, and propose to point out the proof.

Robert Hull, the father of John, arrived in Boston Nov. 7, 1635. He was admitted a freeman March 9, 1637. He had a house-lot and "great allotment" as early as December, 1636. He was one of the Antinomians who were disarmed Nov. 20, 1637. His house-lot is described in the "Book of Possessions" as "one house and garden bounded with John Hurd South, the High Street West, Job Judkin North and Gamaliel Waite East." This lot lay on the easterly side of Washington Street, formerly Newbury Street, between Summer and Bedford Streets. The lots, by the "Book of Possessions," were six in number between these two streets. Beginning at the north, the first lot was Elizabeth Purton's, afterwards Robert Noone's; second lot, Job Judkin's; third, Robert Hull's; fourth, John Hurd's; fifth, William Plantayne's, or Blanton's; sixth, Thomas Wheeler's. The lots were proximately four rods wide and sixteen rods deep.

The first four lots were bounded on the east by the garden plot of Gamaliel Waite; the sixth, Wheeler's, was bounded on "the watering place," afterwards called "Wheeler's Pond," and the street "Pond Street." This lot of Gamaliel Waite's was his garden lot; his house was on the north side of Summer Street. The garden lot is still owned in one piece, and is now covered by the stone block occupied by C. F. Hovey & Co., owned by George Gardner, Esq. The surroundings as here described become important in future memoranda.

John Hull, born Dec. 18, 1624, came over with his father, and landed Nov. 7, 1635. In December, 1646, Robert Hull made a deed of gift to John for his "love and affection, especially being now upon his marriage about the one and twentieth year of his age" (he was twenty-two, and the mistake is singular: the deed seems to be in John Hull's writing; but the date is erroneous, — in the record being 1656, while the original is 1646). The description is in these words: "My dwelling house and garden, with all the fruit trees and appurtenances, bounded north with the land of Job Judkin; on the south with land of John Hurd; on the east with Gamaliel Waite; on the north west with the highway; only reserving unto myself during my life a free and full enjoyment of it."

John Hull was married to Judith Quiney, May 11, 1647. Robert Hull died July 28, 1666, and his will was probated February, 1667.<sup>1</sup> With the will the deed cited above was produced and approved, having never before been recorded. The will says: "I do give to my son John Hull my part of this house which was first built and the orchard and garden with all the appurtenances to it." From this the inference seems to be strong that John had added to his father's house, and lived under the same roof with him. Ten years after his father's death, in November, 1676, he bought from Samuel Judkins, son of Job, who also joined in the deed, a house and land next northerly of his own,<sup>2</sup> "thirty-one feet in front on the Town way, thirty-three feet, eight inches at the other end abutting upon Gamaliel Waite eastward, on John Hull southward." June 30, 1683, three months before his death, he bought of Edward Rawson a lot of land on Summer Street, being the easterly end of Widow Purton's lot, one hundred feet on Summer Street and sixty feet deep, bounded easterly on Gamaliel Waite, south on Widow Prudence Morse, whose husband, Christopher, had purchased the northerly half of the Judkins lot. The Purton lot had passed to Robert Noone; from him to Theodore Atkinson,<sup>3</sup> from Atkinson to Thomas Danforth, and from Danforth to Rawson.<sup>4</sup>

John Hull died, Oct. 1, 1683, leaving no will. Mrs. Hannah Sewall, being his only child, inherited the estate subject to the widow's dower;

<sup>1</sup> Suffolk Probate Records, vol. i. pp. 502, 503.

<sup>2</sup> Suffolk Deeds, bk. x. p. 12.

<sup>3</sup> *Ibid.*, bk. i. p. 222.

<sup>4</sup> *Ibid.*, bk. xi. p. 304.



and Sewall became tenant by the curtesy, during his life, of the real estate. Sewall and his wife and the Widow Hull agreed upon a division, which was approved by the Probate Court and recorded. The part material to this inquiry is: "Judith Hull shall have and enjoy the *Mansion House* of said Mr. Hull wherein he dyed with all the land thereunto adjoining and belonging and all tenements, shop, outhousing and buildings whatsoever on any part of said land standing with a small orchard or parcel of land thereto near adjacent late purchased of Mr. Edward Rawson." The words "Mansion House," "wherein he dyed," seem to leave no doubt that this was John Hull's home at his death, as it had become at his marriage. The proximity of the orchard purchased from Rawson fixes the locality definitely. The division further gives the reversion of Mrs. Hull's portion and the whole remainder of the estate to Sewall and his wife, and the survivor of them for life, and the reversion to their heirs. This doubtless is the "entail" to which Sewall alluded when he refused to sell land at Cotton Hill for the King's Chapel. As a further identification of the location of the "Mansion House," the deed of division mentions "the dwelling house and land purchased of Robert Walker, on the other side of the street." This was conveyed to Hull, March, 1680,<sup>1</sup> "butted and bounded east with the Great street, south land late of Ralph Mason, west land of Hezekiah Usher, north land late of Peter Goose." This shows it to have been on the west side of Newbury Street, somewhat farther south than Hull's lot. It was the fifth original lot south from Winter Street, then called Blott's Lane. We have seen that Hull's was the third from Summer Street, then called Seven Star Lane, or the Mill Street. As these old deeds do not give any definite names to the streets, we have to follow the title down to more modern times to fix localities definitely. The title to this estate of Hull passed as follows: To Mr. and Mrs. Sewall. At Sewall's death, January, 1730, the whole estate was divided among his children and grandchildren by lot. The Mansion House and lot to Dr. Joseph Sewall; but Samuel Sewall 2d exchanged with Joseph, who made a deed to him of the Mansion House and lot described as follows: "Situate lying and being in Newbury Street in Boston aforesaid fronting thereon westerly and there measuring fifty-five feet, southerly on land of Eneas Salter in three lines there measuring one hundred and twenty-six feet and six inches, easterly on land or orchard lately enjoyed by said Samuel Sewall Esq. in his life time and there measuring fifty-five feet, northerly on a way fourteen feet wide laid out for the use of the above said Mansion House, the house where Michael Hambleton lived and the orchard in the rear of said houses, there measuring in two lines one hundred and thirty-one feet."<sup>2</sup> The

<sup>1</sup> Suffolk Deeds, bk. xii. p. 73.

<sup>2</sup> *Ibid.*, bk. xlv. pp. 117-137.

remainder of the estate, viz. the Judkins house and lot, and the orchard behind both, extending back to the Gamaliel Waite estate, fell to the heirs of Mrs. Hirst (Betty Sewall), and was also conveyed by them to Samuel Sewall 2d; thus establishing him in possession of the whole homestead.

Samuel Sewall 2d dissipated the share of the estate of his grandfather which fell to him, and became a bankrupt within ten years of his father's death; but before that happened he conveyed to his oldest son Henry the Mansion House,—“all that my brick Mansion House with the land thereto belonging.”<sup>1</sup> The land is described in three parcels, as in the deeds to Samuel Sewall 2d, before mentioned. The rear boundary is upon land of Major Vassall, who had become owner of the Gamaliel Waite lot, on which he had erected the well-known house on Summer Street, so long the home of Samuel P. Gardner, which was removed within a few years to make room for the present granite block occupied by Hovey & Co., as before mentioned. Major Vassall built a house at Quincy almost exactly like it, which has been the home of the Adams family for a century or more.

Samuel Sewall 2d died in 1751. His son Henry retained the homestead, and at his death, in 1771, the estate passed by his will to his son Samuel, who was a loyalist and refugee. His tenant in the Judkins or Hambleton house, John McLane, was appointed agent by the Government. The estate was sold by Commissioners Samuel Henshaw and Samuel Barrett, in two portions,—the Mansion House and orchard to William and John Molineux, and the Judkins house and lot to its tenant, John McLane.<sup>2</sup> Thus, after one hundred and forty-six years' continuous possession by six different generations,—Robert Hull, John Hull, Hannah Sewall, Samuel Sewall 2d, Henry Sewall, and Samuel Sewall 3d,—the original house-lot of Robert Hull passed out of the possession of his family.

William and John Molineux sold to Jonathan Mason.<sup>3</sup> Jan. 20, 1803, Mason conveyed to Isaiah Thomas and Ebenezer T. Andrews, the well-known publishers (Thomas & Andrews), whose shop, No. 45 Newbury Street, at the sign of *Faust's statue*, was directly opposite.<sup>4</sup>

Availing themselves of the fourteen-foot passage-way between the Mansion House and that on the Judkins lot, they laid out *Central Court*, and built five houses on the orchard. Subsequently Thomas sold his share to Andrews, who bought the Judkins house and lot, May 17, 1811, which had been sold by John McLane to Thomas Pons.<sup>5</sup> Thus the whole Hull-Sewall estate was again united in Eben T. Andrews, who retained it during his life. At the time of his death, in 1851, it passed

<sup>1</sup> Suffolk Deeds, bk. lxviii. p. 261: March 14, 1739.

<sup>2</sup> *Ibid.*, bk. cxxxix. p. 153: 1781.

<sup>3</sup> *Ibid.*, bk. cxlvi. p. 153: Dec. 21, 1784.

<sup>4</sup> *Ibid.*, bk. cevi. p. 13.

<sup>5</sup> *Ibid.*, bk. clxviii. p. 224.

to his son, William T. Andrews, whose heirs still own it. I have thus, I think, fully identified the homestead of Robert Hull, and shown that John Hull lived and died there.

The part of the Cotton Hill estate first owned by Hull was conveyed to him by Seaborn Cotton in 1664.<sup>1</sup> Hull had then been married and living in Newbury Street eighteen years. In 1666, by the death of his father, he came into full possession of the homestead. The Cotton House and larger part of the land he acquired in 1682, May 29, only sixteen months before his death. I think it is quite clear that he never removed from the Mansion House, where he was married, lived, and died.

Where did Sewall live?

By the evidence frequently reiterated in the "Deeds" of division of his estate, he certainly "lived and died" in the Mansion House on Newbury Street. Did he ever live any part of his married life elsewhere? On this question the Diary is almost our only guide. From that I gather: He was married in the "Old Hall" in Father Hull's house. He certainly lived with Father Hull till his first child was born. The account of the severe attack of dysentery from which both Mother Hull and Hannah Sewall suffered in October, 1676, shows plainly that they were living in the same house (vol. i. pp. 22-25). See also the account of the birth of the first child; note that he and Father Hull were sitting in Hull's room when they heard the child's first cry (vol. i. p. 30): "Our house, i. e. Father Hull's." April [1st], 1677, he says, "John Sewall born at Father Hull's."

If he had removed from Father Hull's, it would certainly have been mentioned in the Diary; and if such removal ever took place, it must have been during the period covered by the lost volume of the Diary. It seems scarcely possible that any such move could have been made to Cotton Hill without some evidence of it in the remaining volumes. I have looked carefully through the three volumes without finding any evidence of it. In vol. i. p. 110, Dec. 9, 1685, two years after Hull's death, he mentions "Neighbor Gamaliel Waite;" (p. 183) July 16, 1687, was much disturbed in the night by a riot of men drinking and carousing at "Wheeler's Pond," only a few rods from the Hull Mansion House; (p. 207) Shaller's distil-house in Newbury Street burned. Sewall considered his house in danger, at which the editors wonder, as they well might, if Sewall lived at Cotton Hill; (p. 210) April 13, 1683, six months before Hull's death, "grafted a pear next J. Waite's;" J. Waite was a son of Gamaliel, and part of the estate had been conveyed to him before his father's death; (p. 331) Sept. 22, 1690, the account of Neighbor Hord's death-bed is striking: "about eleven o'clock I supposed

<sup>1</sup> Suffolk Deeds, bk. vi. p. 227.

to hear neighbor Mason at prayer with him just as I and my wife were going to bed." Hord's house was on the lot next south of Sewall's; it was September, and with the windows open, the voice of "neighbor Mason" could easily have been heard. Ralph Mason lived on the west side of the street, next the corner of West Street. This John Hord, or Hurd, I presume is the same man whose excommunication for incorrigible drunkenness is recorded by Hull (p. 193 of his Diary). His death-bed behavior greatly shocked Sewall, who would not attend the funeral, which self-denial must have been a cross to him (p. 332).

The catastrophe to the kitchen chimney, at which Mother Hull was greatly alarmed, seems to have determined Sewall to begin his new house at once (p. 376). The old kitchen is first removed; then the "Little Hall" is removed to Matthias Smith's: he seems to have been a neighbor in poor circumstances.

The corner-stones of the new house were laid; these give the editors much trouble, which disappears now we have the correct location of the house (p. 377). One corner was "towards Father Walker's." Robert Walker was one of the first settlers, and one of the four old men whose affidavits about the purchase from Blackstone are upon record. He was a weaver, and a very pious and worthy man, much esteemed by Sewall: witness his eulogy at the time of his death, May, 1689, four years before this time; note the distinguished guests at the funeral, notwithstanding his humble position; note that the guests assembled at Sewall's house, which shows its proximity. There seem to have been intimate relations between the families. Dame Walker was at this time keeping a dame school; Sewall's children went to it (see vol. i. p. 164). Dame Walker sent home the children, too sick to teach them (see the account of her death, Dec. 21, 1695, vol. i. pp. 417, 418); Sewall's remarks to Sam., and Sam.'s great grief). Walker's lot was the third north of West Street. As I have before shown, Sewall owned the Walker estate, it having been purchased by Hull in 1680, thirteen years before. The next stone was at the southeast corner, toward "Wheeler's Pond." This noted watering-place was not more than eight or ten rods from Sewall's southerly line, being only separated by Hurd's and part of Plantayne's, or Blanton's, lots. The next corner is "towards Fort Hill," — a considerable distance; but as Summer Street was the road to Fort Hill, and was very near, it is natural enough. The last is the northwest corner, "towards Cotton Hill." This undoubtedly is only applicable on account of the large estate Sewall had there; the indications are obvious enough, and consistent with the Newbury Street location, while utterly inexplicable as applied to a house at Cotton Hill.

Sewall had a fall in climbing about the new house, in one of the chambers "next Tilers" (vol. i. p. 388). In December, 1689, John

Hurd, son of John Hurd, conveyed to John Tyler the north half of his father's house, twenty-two feet on the street, ninety-four feet long, bounded north by Captain Sewall's land.<sup>1</sup> It follows that the chamber "next Tilers" was on the south side. Sewall plants trees at Wheeler's Pond (vol. i. p. 401).

June 6, 1713. There was a leak "next Salters" (vol. ii. p. 388). Eneas Salter, who is frequently mentioned in the Diary, had become possessed of the Hurd lot. In the deeds of division of Sewall's estate, the Mansion House lot is bounded on the south by land of the late Eneas Salter; the leak was therefore on the south side.

He speaks of "neighbor Hamilton" (vol. iii. p. 14). From the division deeds we learn that the Judkins house was occupied by Michael Hamilton.

Funeral of Neighbor Isaac Odlin (p. 384). John Odlin, one of the old first settlers, and signer of the Blackstone affidavit, lived on Newbury Street, nearly opposite the Adams House; this was doubtless his son. In short, every local allusion fits exactly with the Newbury Street residence. I cannot doubt that he spent the whole of his married life there, as it is certain that he died there.

Sewall was, like Hull, captain of the South Company. He appears, by the Diary, to have kept "watch and ward" at night in his turn. His companion was usually Isaac Goose; he was the son of Peter Goose, and lived nearly opposite Sewall, on Newbury Street.

*Sewall's Walk with the Governor.*

Many things that are troublesome to the editors in this walk become simple now that we know where Sewall's house was. First they start up "Hoar's Lane." As none of the streets had at this time definite names, such as local accident suggested seem to have been used. Newbury Street itself is called in the deeds the "Broad street," "Highway to Roxbury," "the street that leads from the Third meeting house to Roxbury." The side streets were still more indefinitely named. School Street is called, at as late a period as 1669, in a deed of Robert Right's,<sup>1</sup> "the street going up to Elder James Penn's" (Penn's lot was where the Albion now stands); yet the town school had been kept there since 1645. Winter Street was called "Blott's Lane," from Robert Blott who lived on the southerly corner. Summer Street was called "Seven Star Lane," "the Mill street," and "the road by Gridley's." West Street appears in this description as "Cowell's Lane."

"Hoar's Lane," I cannot doubt, was "Rawson's," afterwards "Bromfield's" Lane. Rawson, Jan. 30, 1654, acquired the estate of the old

<sup>1</sup> Suffolk Deeds, bk. xv. p. 80.

<sup>2</sup> *Ibid.*, bk. vi. p. 177.

Notary Public and Clerk, William Aspinwall, who had fallen into disfavor and returned to England. It consisted of about two and a half acres of land running from Washington to Tremont Street, on both sides of the lane now Bromfield Street. Here he built a house and lived. In 1669, March 17, having lived there fifteen years, he sold to William Hoar, a baker, a lot on Washington Street, bounded southerly on his neighbor Ephraim Pope, and northerly on "his lane." This was his first sale. In November, 1669, he sold to the Hon. John Pyncheon the opposite corner with his house, and in October of the next year the remainder of the land on the north side of his lane. The width of the lane is not defined, but all the deeds covenant for a free use of it. Subsequently he sold the remaining land on the south side to his son, William Rawson, Robert Noakes, J. Jepson, and the last lot near the middle, to John Pyncheon, so that in 1674 he had parted with the whole property. The lane, unlike the other cross-streets, was a purely private enterprise. Sewall's reason for calling it "Hoar's lane" was doubtless that William Hoar lived at the corner on the lot first sold by Rawson. Sewall had loaned Hoar some money on a mortgage of it immediately after Hull's death. This mortgage is mentioned by the editors, but they erroneously suppose the land to have been on the corner of School Street. As Rawson's deed to Hoar bounds him in front on the highway leading from the Third Church to Roxbury, and School Street is north of that church, the land must have been south of the Old South Church. The streets were not yet named. An order was passed, May 3, 1708, fixing the names. "The way leading from Briscoe's corner in Marlboro' street passing Justice Bromfield's into the Common, Rawson's Lane." Briscoe's corner is the corner where William Hoar lived, which he had mortgaged to Sewall in 1683, and subsequently released to him. Sewall, April 17, 1703, made a deed of gift of this property to his eldest son, Samuel, and described it as then in the "tenure and occupation of Joseph Brisco, baker."

The description of Newbury Street is as follows: "The street from the corner of the House in the tenure of Capt. Turphey nigh Deacon Elliot's corner leading into Town by the *house of Samuel Sewall Esq.* as far as Dr. Oakes corner, Newbery street." This recognizes the residence of Sewall as the most distinguished inhabitant. Dr. Thomas Oakes, brother of President Oakes, who was Sewall's family physician (witness the *Diary passim*), bought the estate at the southwest corner of Summer and Newbury Streets, from William Rawson, son of Edward, whom I have previously shown to have been the owner.

In giving the boundaries of these streets, the initial and terminal points are almost uniformly fixed as in these cases. It seems apparent that the name of some prominent person on a corner was up to that



time the only method of describing a street. In this neighborhood, for instance, in addition to the examples I have given, West Street starts from "Cowell's corner;" Winter Street, from "Ellises corner" (Edward Ellis, "Chirurgion," married Robert Blott's daughter, and inherited his corner, and apparently the name was changed with it). School Street starts from Widow Haugh's corner. This estate had from the first been the homestead of Atherton Haugh, and, it seems, still remained in the family.

After the passage of this order Sewall speaks of Rawson's Lane (vol. ii. p. 174). Coming through the lane, he saw Bastian, the negro, cutting an elm-tree near the Governor's coach-house. The editors suggest that this might have been at the corner of Tremont and Beacon Streets, where the Tremont House stands. It was really at the corner of Tremont and Bromfield Streets, where Horticultural Hall stands. It belonged to Sewall, who had acquired it through a mortgage from John Pyncheon. The coach-house was leased to the Governor, being very conveniently situated to the rear of the Province House. It was so occupied at Sewall's death, and was sold by his heirs to Edward Bromfield, who had purchased all the land on the southerly side of the lane as far east as the Hoar lot, and built his house there, as the foregoing description of the lane in the order of the selectmen shows.

Assuming, then, that Hoar's Lane was Rawson's or Bromfield's Lane, let us continue our walk "past the Alms House," that is, up Park Street, thence down Beacon Street to the pasture afterwards bought by Sewall, and so often mentioned in the Diary as the Elm Pasture; thence by "Cowell's Lane," which doubtless was West Street, as this street in 1708 ran from "Cowell's corner" to the Common. Sewall applies the name here, as he did Hoar's to Rawson's Lane. The editors here, being led away by the "new garden," take us through a very interesting digression to the foot of Beacon Street and Blackstone's garden; but in fact the aged Governor and his young friend crossed the Common from Joy Street to West Street, and there, as they came out of the lane to the main street, they met little Sam Sewall, then about seven years old, who ran to them, telling of the death, by the hands of the butcher, of the old cow; upon which Sewall gives, as usual, an obituary notice, saying, "she has served this family ten years, nine since I came into it;" thus adding another proof that the Sewall and Hull families were one. "Then to the new Garden." This is conjectured by the editors to be at the foot of the Common. It seems to me it must have been the orchard or garden bought by Hull two years before from Edward Rawson on Summer Street next Gamaliel Waite's. It was the 10th of May, the spring work was going on, and Sewall doubtless wished to show the Governor how he was adorning it. It was to Sewall the "*New*

*Garden*," and therefore specially interesting. "Thence to the House, and then a little farther to the pasture by Eng's." Madett Eng's, as he signs his name to his will, had a lot and house where he lived, on the north side of Summer Street, about opposite Church Green. Sewall had a lot next east of him, and this doubtless was the place visited. The peculiar name of Eng's was a grievous stumbling-block to the clerks of his time. I find Eings, Engles, English, Ingles, Inge, Inglys, but never Eng's; Madid, Mawditt, Maudit, but never Madett. Eng's left a son and three grandsons. The real estate passed out of the family in the third generation. The name is still found in the Boston and New York Directories. Had Sewall's house been at Cotton Hill, it would have been more than "a little farther."

Thence to the governor's home. As the editors say, Governor Bradstreet's residence at that time is unknown. It was probably in a hired house, as no real estate suitable seems to have belonged to him there. He provides in his will for the payment of a quarter's rent for his widow after his death. He was taxed in 1688 in the Seventh Division or Company, with John Pyncheon, William Hoar, and Peter Sargeant, who all lived on the westerly side of Marlboro' Street. Captain Sewall is always mentioned in the Eighth Company, in the assessors' lists, also in the enumeration or list of inhabitants in 1695.

In the Diary I find two passages that might be construed to indicate that Sewall lived at Cotton Hill. The first is in vol. i. p. 59: Sewall's petition for leave to build a "fore door" for "my house on Cotton Hill." This was of course to project into the street, as no permission would otherwise be needed. This is one year after Hull's death, Oct. 15, 1684. Winter was coming on; and no doubt the tenant, whoever he was, demanded the relief. Sewall had been married more than eight years, and would not have waited so long for such a necessary addition to the comfort of his house. There is nothing to show that Sewall occupied the house he owned. Again, in 1699, when the school-house was built in Scollay Square, he made vigorous protest. The town promised not to build any more buildings there, and Sewall had the measurements from the school-house put upon record. These all relate to his gateposts as far as his estate is concerned, not to any house, and obviously have no bearing upon the place of his residence. The history of the school-house is curious. In 1693 it was sold to William Scollay for £500 (\$1,666.67). In 1872 the city paid \$185,595 for the same property. It is true Scollay had added, by purchase from Jeffrey, thirty feet in length on the north; but the town had previously cut off more than that on the southerly end of the lot.

I think the evidence I have adduced is incontrovertible. I have searched carefully for it, and am sure that the editors of the Diary will be glad to have the facts pointed out

*Cotton Hill.*

The Cotton Hill estate does not lose its interest because neither Hull nor Sewall lived there. It is certain that John Cotton built his house there, and that Sir Henry Vane built such an addition to it as to be spoken of as part of Cotton's house; that when Vane returned to England he gave his house to Seaborn Cotton, the oldest son; that Cotton provided in his will for carrying out this bequest or gift.

Cotton's other heirs, in 1664,<sup>1</sup> released this house and land to Seaborn. It was the southerly part of the land, and its relations to the other part of the house may be gathered from this addendum to the deed of release, which is executed by Sarah, Increase, and Maria Mather, and John Cotton: —

"Whereas in the within written deed the bounds eastly is mentioned to be from the north side of the house east, It is agreed upon mutually by the persons interested therein that sayd bounds is only from the south side of the present standing gate upon a straight line to the north side of said house; and further it is agreed that from the north side of said house there be a straight line run down to the Front or Town street sixteen foot northward of the south side of said gate, which said strip of land is and shall be by agreement of all parties in perpetual common for the use of both parties."

This is not very clear, but it shows that Vane's house stood back from the street, and that there was room for a sixteen-foot passage-way between it and Cotton's house, although it is called part of Cotton's house. No further aid from the "Records" can be obtained until the division of the estate among the heirs of Judith Cooper in 1758, ninety-four years afterwards. Then there were three houses upon the estate. First, the Cotton house on the north lot, which had a front on the street of seventy feet; then a passage-way of twenty feet, probably the sixteen-foot way made four feet wider. Back of this, one hundred and seventy feet up the hill, another house, by whom built is uncertain, but most likely while Judith Cooper was in possession, as there is no mention of it in the deed of division of Sewall's estate. Then upon the southerly lot in front, which was seventy-three feet wide, was still another house, which by the partition was divided by a line passing through the middle of it, making two lots, the southern thirty-three feet in front, and the northern — bounded on the passage-way — forty feet. This house was then in possession of William Vassall, to whom the whole estate was conveyed by Judith Cooper's heirs.

Was this the house built by Sir Harry Vane? If so, it had been moved southerly. When Hull bought it, ninety-four years before, the

<sup>1</sup> Suffolk Deeds, bk. vi. p. 233.

passage-way was laid out along the northerly side of the house; now this passage-way was forty feet from the centre line of the house, and the Cotton house was still more remote. Of course it may have been moved.

Of the use of the estate while in Sewall's possession, something may be learned from the Diary. The first mention of it is Aug. 31, 1686: "Mr. Lee views the house at Cotton Hill in order to taking it" (vol. i. p. 151). We are not informed whether he did. March 27, 1699, "Captain Tuthill desires to take the Cotton House" (vol. i. p. 494). It appears that he did so. July 25, 1699, "Between six and seven (just at sunset) I have my lady (Bellomont) up upon Cotton Hill and show her the town" (vol. i. p. 500). "Mrs. Tuthill's daughters invited my lady as came down and gave good glass of wine." So Tuthill had moved into the house. Of course, if Sewall had lived anywhere in the neighborhood, his house would have been the scene of the entertainment.

Sept. 4, 1700, "Capt. Byfield and Peter Weare accompany Sewall as witnesses to warn Mr. Googe out of the house on Cotton Hill" (vol. ii. p. 22). I take this to be Captain Edward Gouge, of whom Dunton says: "He is an ingenuous and witty person. He is an old bachelor and yet as I am told a secret friend of the fair sex." This was in 1686. He was married before May, 1693, when his wife, Frances, relinquished dower in an estate he mortgaged to Elizur Holyoke, and subsequently surrendered. His widow had administration on his estate March 6, 1705. His estate was insolvent. The town records charge him, April 25, 1689, with a son by Martha Staples. Sewall mentions his death in the Diary, Jan. 26, 1705: "The poor man lived undesired and died unlamented." Gouge promised to leave in November, and probably did so.

Oct. 17, 1700. Grove Hirst and Elizabeth Sewall were married and probably went to housekeeping in the house vacated by Gouge. At any rate, after Mrs. Hirst's death, which took place July, 1716, the Diary says, Dec. 24, 1717: "Agreed with Obadiah Gore carpenter to let him the house at Cotton Hill in which Mr. Hirst lately dwelt for four and twenty pounds a year to pay quarterly. Term ten years beginning the last day of this December." This term extends to within two years of Sewall's death. But Gore died before the end of the lease, and in 1724 the widow settled the estate, and paid Sewall £15, as charged in her account, probably for rent. At the time of Sewall's death, his sons-in-law, Cooper and Gerrish, occupied the houses.

It seems to be thought that the Gardiner Greene house may have been identical with the Vane house, but it seems impossible that any one who ever saw it could credit such an idea. The house built by William Vassall, after he acquired the estate from the Cooper heirs,

was placed far back from the street, approached by a series of steps, the grounds graded into terraced gardens, and the house itself so large, roomy, and elegant, that Mr. Greene never thought any material change in it desirable, as his descendants inform us. Certainly the structure which Sir Harry built, as an addition to John Cotton's house in 1636, was not moved up the hill, one hundred and twenty-two years afterwards, after having been rented to numerous tenants, to be the mansion-house of a rich man of fashion like William Vassall. We know from contemporary history that this was always considered one of the finest estates in town. When William Vassall, like most of his race, became a refugee, the house and furniture were put in charge of Judge Oliver Wendell by the authorities. The house was rented at auction from year to year. The account rendered shows from year to year the depreciation of the Continental currency. In 1780 the rent was £2,600, which was reduced to specie £65, or forty for one. A subsequent account is at seventy for one. The furniture was removed to fit up a house for the French Ambassador, and after the end of the war was sold at auction for £980, lawful money, which, considering the prevailing poverty and that the furniture had been used as it was, shows that it must originally have been very rich and handsome. The estate, for some reason which does not appear, escaped the confiscation that befell so many others. It passed to Patrick Jeffrey; he sold the part west of Somerset Street to Asa Hammond, and the rest to Jonathan Mason, who almost at once sold to Gardiner Greene, who thus became possessed of the whole front originally granted to Cotton, and continued to hold it the remainder of his days.

What became of Sir Harry Vane's house? and John Cotton's? It seems to me clear that when Vassall acquired the property and built his fine house on it, the three old houses that encumbered its front, intercepting his prospect, were removed. Whether torn down or removed whole, they disappeared from view and from any further connection with history.

The various conveyances show that when Hull bought of Seaborn Cotton he bought one house. When the John Cotton lot was conveyed by his heirs to Nicholas Paige, it is described as "the dwelling house and ground under the same, formerly the mansion house of their late father Rev. Mr. John Cotton." Paige conveys to Hull the land, "together with all houses, tenements, new and old stables, out houses, edifices, buildings, fences &c." The next description is forty-eight years after, in the partition of Sewall's estate in 1730. Then the description is "the land at Cotton Hill with the buildings and appurtenances in tenure of William Cooper and Samuel Gerrish."

As I have said, the third house in rear of the Cotton mansion is never mentioned until the estate was divided between Judith Cooper's

heirs, and it was then immediately sold to Vassall. When Vassall sold to Jeffrey he describes the land, and adds with the "Mansion house, out houses and appurtenances." No other houses are mentioned. Jeffrey conveys to Mason, and he to Greene, land "with a dwelling house and brick stable." There is certainly, from the time that Vassall bought in 1758, no mention upon the record of either of the old houses.

Bowditch, as quoted in the Diary, points out an error into which Drake fell about an old house supposed by Drake to be Sir Harry Vane's, and shows that Drake was "within one" of it. The house in question stood almost exactly where Rogers's shoe-store has been now for almost half a century. It was a brick house, and in the last years of its existence was used for offices. The late Dr. A. A. Gould, President of the Massachusetts Medical Society, had an office there in 1833 and 1834; it then belonged to Gardiner Greene, who acquired it in 1824. It was conveyed to him<sup>1</sup> by the Hon Thomas L. Winthrop, trustee under the will of Sarah Waldo. It was conveyed to her in 1791<sup>2</sup> by the Hon. James Bowdoin, Governor, as executor and trustee under the will of his father-in-law, the Hon. John Erving, and is there described as a "Messuage, land and tenement at the head of Court street, consisting of a large brick house, a barn and sundry out houses, being the *Mansion house of Hon. John Erving.*"

The lot in the "Book of Possessions" is assigned to the Rev. Daniel Maude, who shares with Philemon Pormont the honor of being the earliest school-teacher. As he removed to Dover after a few years, the property passed to Robert Howard, Notary Public, who lived there when Hull acquired the Seaborn Cotton estate. At his death and that of his wife in 1683, the property passed by will to his son Jonathan, who died, unmarried and intestate, in 1690. His brothers and sisters, of whom there were six, shared the estate; and James Leblond became the owner.

As shown above, it passed from his heirs to the Hon. John Erving. The brick house was probably built by Leblond. In his inventory the real estate is, "Brick House and wooden and land, 1713." The conveyance by his heirs to Erving, April 12, 1736, "Land at upper part of Queen street, whereon stand two Dwelling houses one of Brick the other of timber." From the appearance of age about the structure it seems probable that the brick house became the mansion-house of the Hon. John Erving, and remained without material change until its final destruction in 1835, when Cotton Hill was reduced to its present level.

It is difficult now to realize that Cotton Hill before its demolition was seventy feet at its apex above the present grade of Pemberton Square, as Bowditch tells us it was. It was so steep originally on the northerly

<sup>1</sup> Suffolk Deeds, bk. cxciii. p. 196.

<sup>2</sup> *Ibid.*, bk. clxxxii. p. 161.



face, that Captain Cyprian Southack (who laid out Howard Street, then called Southack's Court), was ordered by the selectmen, Oct. 19, 1732, "to secure his hill near the Valley acre by rails or otherwise that people may not be in danger." The Valley acre so frequently spoken of in the deeds perhaps received its designation from the valley between Beacon Hill and Cotton Hill, now occupied by Somerset Street; though now that the eastern hill has been laid low, and the western one much reduced in height, it does not seem appropriate to associate the word "valley" with it. Whether this hill had any springs does not appear, but in the town records on the 20th day of the fifth month, 1657, the selectmen appointed "Deacon Marshall and Ensign Hull a committee to gaine liberty from Mr. Seaborn Cotton and his Mother to bring water down from their hill to the Conduit to be erected."<sup>1</sup> The sources of supply to that first attempt at water-supply for Boston have always been in doubt; whether any was ever obtained from this source does not appear.

With this I conclude what I have to say of this truly historic ground.

ESTES HOWE.

Mr. C. C. SMITH announced a Memoir of the late Mr. George Dexter.

<sup>1</sup> Report of Record Committee, vol. ii. p. 138.





*George Dexter.*





MEMOIR  
OF  
GEORGE DEXTER, A.M.

BY CHARLES C. SMITH.

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GEORGE DEXTER was a member of the Historical Society for six years, and during this period he was absent from home, on account of ill health, for about a quarter of the time. But his membership was long enough to secure for him the warmest personal regard of his associates, and to enrich our Proceedings with numerous contributions marked by abundant evidence of ripe scholarship and patient industry. He had in this comparatively short time rendered important service to the Society as its Recording Secretary ; and still more important and varied service in later years might have been justly anticipated from him. He was born in Ohio, in the village of Fulton, now a part of the city of Cincinnati, on the 18th of July, 1838, and was the fourth child of Edmund and Mary Ann [Dellinger] Dexter. Through his father, who was a native of Leicester-shire, he was of English descent ; and on his mother's side he traced his ancestry back to Germany, where his maternal grandfather was of high social rank. His school days were passed wholly in his native city ; his first teacher being Miss Mary Ann Davis, of whom he cherished through life the pleasantest recollections. After leaving her school he spent a little less than a year in the academy of Mr. Joseph Herron, at that time connected with the Cincinnati College, from which he passed to the classical school under the charge of Mr. Eben S. Brooks, where he completed his preparation for college. "To Mr. Brooks and his able assistant, Dr. N. E. Soule, both graduates of Harvard," he wrote in his College Class Book, "I owe much of the fondness for classical studies which has



been the sole distinguishing mark of my college course." He entered Harvard College, without conditions, in 1854, and was graduated, with good but not high rank, in 1858. His part at Commencement was an essay on Aaron Burr. During the whole of his course he resided outside of the college yard, so that he lost some of the more intimate associations of an undergraduate's life; but he impressed all his classmates by the purity and refinement which characterized him in later years. They were "as marked in the college boy," says one of his friends in the College and in this Society, "as they have been in the Christian gentleman whom we all have held in special regard, whom they who knew him best have esteemed most deeply."<sup>1</sup>

A month after leaving college he sailed for Europe, with the intention of spending the next winter in Berlin, after which he hoped to pass "some years in study at the various German universities and in travelling." But the attractions of home were too strong for one who was always held to family and friends by the strongest ties, and he soon changed his plans. He spent a few months in travel in Germany and Italy, and returned home in December; and in the following March he entered the Harvard Law School. He remained in the Law School until July, 1860, when he received the degree of LL.B. After graduating from the Law School he continued to live in Cambridge, as a resident graduate, until the summer of 1861, when he went to Europe with his parents, both of whom were in failing health. Not long after landing in Europe his father became so seriously ill as to require from him constant care during the remainder of their absence abroad. They all returned in July, 1862, and a week after their arrival in New York the father died. In the following September Mr. Dexter again became a resident graduate in Cambridge.

In May, 1864, in the darkest days of the civil war, in response to a call for volunteers to serve for ninety days, he enlisted as a private in the twelfth unattached company of Massachusetts Volunteer Militia, which was composed almost wholly of residents of Cambridge. The company was sent to garrison the fort at Provincetown. While in this service Mr.

<sup>1</sup> See the remarks by the Rev. Henry W. Foote, *ante*, p. 9.

Dexter acted as commissary and quartermaster-sergeant. During his absence he was elected secretary of his college class, and received the degree of A.M. In September, 1865, he sailed again for Europe. The winter was spent in Paris, after which he travelled in England, and returned to this country in June, 1866. On the 17th of September, 1868, he was married to Lucy Waterston, daughter of Mr. Charles Deane, and immediately afterward sailed for Europe with his wife. They returned after an absence of three months, and took up their residence in Cambridge, which had always possessed peculiar attractions for him. In September, 1869, he was appointed Tutor of Modern Languages in Harvard College, which place he resigned, in October, 1870, to become Steward. The duties of his new office did not prove altogether congenial, and he resigned it in December, 1871. He had inherited ample means, and he did not afterward engage in any remunerative employment; but he was never idle, and freely gave his services for the promotion of objects in which he took a warm personal interest.

Mr. Dexter was elected a member of the American Antiquarian Society at the April meeting in 1876. In the work of that Society he was much interested, though absence from home and ill-health made his attendance at its semi-annual meetings somewhat irregular. To its printed Proceedings for October, 1881, he contributed a short and carefully prepared paper on "The Testimony of Fabyan's Chronicle to Hakluyt's Account of the Cabots." In November, 1877, he was unanimously elected a member of the Historical Society. This election opened to Mr. Dexter the opportunity for the best work of his life, and gave to us, in the apt phrase of Mr. Winthrop, "a model Secretary for all who may follow him." When Mr. Deane, who had filled the office of Recording Secretary with signal ability for thirteen years, was transferred, in 1877, to the Corresponding Secretaryship, the Nominating Committee found great difficulty in selecting a successor. The office was tendered to several gentlemen, who declined to undertake its duties from a feeling that more time would be required for the discharge of those duties as they had been performed by Mr. Deane, than could be given by any one actively engaged in other pursuits. It was well known to two of the members of the Committee, — the late William G. Brooks and the late

Delano A. Goddard, — and to other members of the Society with whom they consulted, that Mr. Dexter had often rendered valuable service to the Committee for publishing the Proceedings; and their thoughts naturally turned toward him as possessing all the needful qualifications. But he was not a member of the Society. In this emergency our brilliant and accomplished associate, the late Edmund Quincy, consented to take the office, only on condition, however, that he should not be asked to serve for a longer period than one year. He was accordingly elected, and entered on his duties with a zeal and energy which justified the highest expectations as to his service. But these expectations were speedily and sadly disappointed. Mr. Quincy died in a little more than a month after his election; and at the same meeting at which his death was announced, the death of another distinguished member, Mr. J. Lothrop Motley, was also announced. As soon as the rules and custom of the Society would allow, Mr. Dexter was elected to fill one of the two vacancies thus created; and at the Annual Meeting in the following April, he was elected Recording Secretary, which office he filled for a little more than five years.

Mr. Dexter did not limit himself to a prompt and in every way satisfactory performance of his duties as Secretary, and as Chairman of the Committee for publishing the Proceedings; he began at once to enrich our volumes with numerous and important communications of his own. At the meeting in February, 1878, he communicated from the original manuscript Tutor Sever's argument before the Massachusetts Council, in 1732, advocating the right of the instructors in Harvard College to a place in the Corporation, prefacing it by a short and lucid statement of the questions at issue, and of the action on them.<sup>1</sup> In May following, he communicated an unpublished letter of Governor Pownall to the Rev. Dr. Cooper after the recognition of American independence, with explanatory remarks. In September of the same year he presented copies of a considerable number of letters of the Rev. Dr. Andrew Eliot, written during the Revolution, accompanied by a short account of the writer, and by the necessary eluci-

<sup>1</sup> This communication was reprinted in a separate pamphlet for private distribution, as were several of Mr. Dexter's later communications. Nine of these reprints are in the Society's archives.

dations; and these were followed, in October, by remarks on some newly discovered letters of Columbus and Vespuceius, with translations of the letters themselves.

In September, 1879, he gave an interesting account of M. Moerenhout, whose name had been on the Corresponding Roll of the Society for more than forty years, and who had recently died at Los Angeles, in California, where he was at that time French Consul. At the same meeting Mr. Dexter also presented a report in detail on the Holmes Papers, a collection of miscellaneous papers formerly in the possession of the Rev. Abiel Holmes, D.D., an officer of the Society for twenty years, and author of the "Annals of America."

In October he made a still more interesting communication, in submitting for publication the manuscript journals kept by Thomas Wallcut, at Marietta, in Ohio, in 1790, and by Charles Turner, Jr., in New Brunswick and Maine in 1802, with full editorial notes. His next important contribution was at the April meeting in 1880, when he offered some remarks on the alleged visits of the Northmen to the American continent, and presented an unpublished letter on this subject from Professor Erasmus Rask to Henry Wheaton, written just after the publication of Mr. Wheaton's "History of the Northmen."

About the time that this communication was made, Mr. Dexter wrote for the first volume of the "Memorial History of Boston" a short but admirably clear and well-considered chapter on "The Early European Voyagers in Massachusetts Bay." While thus actively engaged in the work for which this Society was founded, his health suddenly gave way; and on the 1st of October he tendered his resignation of the office of Recording Secretary, the duties of which he had discharged to the "great satisfaction" of the Society. "My health," he wrote, "has become uncertain, and my physician tells me that I cannot expect to go to Boston, or to attend to business of any kind for some months to come. As I cannot perform the duties of the office, I must necessarily resign it. I do so with regret; for I have appreciated the honor of the position, and enjoyed the pleasant duties of the office." In spite of the doubtful aspect for the future, and the uncertainty as to when, if ever, he would be able to take up his work again, the Society voted unanimously not to accept his resignation. A few weeks later he went abroad with his wife and one of

his children. The winter was spent in the south of France and in Italy. To the depression which naturally attaches to invalidism in a foreign land was now added the poignant grief of losing his youngest daughter, a fascinating child in her sixth year, who had been left at Cambridge with her maternal grandparents, and who died in January. He returned, however, in June, 1881, apparently much benefited by the change of climate.

At the close of the summer vacation he resumed his work in the Society with fresh zeal; and at the October meeting he submitted some very carefully prepared remarks on the first voyage under Sir Humphrey Gilbert's patent of 1578. Two months later he communicated copies of several letters of Governor Hutchinson in the Public Record Office in London, to which the attention of the Society had been called a short time before; and he also communicated for publication a manuscript record book of the Suffolk Bar, covering the period between 1770 and 1805, which he illustrated by an historical introduction and numerous notes. It was his hope that the task of editing this interesting volume would be undertaken by one of the legal members of the Society; but the gentleman to whom he looked for this service was then busy with other literary and professional work, and he accordingly assumed the labor himself, and performed it in a manner which left nothing to be regretted. In January, 1882, he presented a short and excellent memoir of the late Dr. Joseph Palmer. It had now become apparent, however, that he could not remain at home during the winter and spring; and a few weeks later, by the advice of his physician, he went to Aiken, S. C., where he remained until the early summer. This new exile from home and friends was no small trial to him, though he wrote to a friend, "I am well established here, and enjoying good weather and excellent health."

On his return he again resumed his seat at the Council table; and at the first meeting of the Society in the autumn he presented a number of letters written by Henry Wheaton during his first visit to Europe in 1805 and 1806. Among the plans which Mr. Dexter did not live to execute was the preparation of a memoir of Mr. Wheaton and a selection from his correspondence. At the same meeting at which this communication was made, he gave some extracts from a diary

kept in the spring and summer of 1775 by the Rev. Paul Litchfield, with introductory and explanatory remarks. In October he communicated the journal kept by the Rev. Dr. Belknap during a visit to the Oneida Indians in 1796, which he accompanied by an interesting introduction and valuable notes. This was his last contribution to our Proceedings, and nearly his last work for us. In December he was again obliged to leave home for his health, and went to Santa Barbara in California. "California agrees with me quite well," he wrote to a friend, in February; "and although Santa Barbara is not exactly the paradise pictured in the travellers' books and stories, it offers many attractions to a quiet man." While here he wrote to the Nominating Committee declining a re-election as Secretary; and at the Annual Meeting in 1883 his resignation was reluctantly accepted.

In the summer he came north, with the purpose of removing his family to Santa Barbara, and of making that place his home for several years, with the vain hope of restoration to health. On the last day before leaving Cambridge he came into Boston to the Dowse Library to bid good-by to the friends whom he was accustomed to meet there. His tone was cheerful and hopeful; but the overland journey to California and the voyage from San Francisco proved harder and more exhausting than he or any one had anticipated. He reached Santa Barbara greatly reduced in strength; and from that time he slowly and steadily declined. He breathed his last on the 18th of December, 1883. As was natural and fit, his mortal remains were brought back to the Cambridge which he loved well, and laid for their final rest at Mount Auburn.

The last literary work in which Mr. Dexter was engaged was a chapter on "Cortereal, Verrazano, Gomez, Thevet," for the forthcoming "Narrative and Critical History of America." The subject was a difficult one; and more than once he expressed to a friend his weariness of it, and his regret at having undertaken to deal with the perplexing questions involved in it. But there are no signs of this in his treatment of his subject. The narrative is clear and strong; and the critical part firm and well considered. He had studied his subject thoroughly; and he dealt with it in a calm and judicial manner. The work was so well and so thoroughly done that it scarcely needed the revision in the proofs which he did not live to give



it. In addition to the writings already enumerated, Mr. Dexter contributed short and excellent memoirs of Isaiah Thomas and of Simon Greenleaf to the Early Proceedings of the Society; and he rendered great service in the preparation of the Indexes to those volumes,—the copious Index to the first volume having been prepared wholly by him. He also prepared, as a labor of love, the Index to the second volume of the "Documentary History of Maine," which Mr. Deane edited for the Maine Historical Society in 1877.

Mr. Dexter had great natural refinement, courteous manners, and a rare sweetness of temper; and in all his personal and official relations he was one of the most agreeable of men. The friends whom he once made were his friends always. No man was ever less moved by selfish motives. His opinions were never extreme, and were always expressed with candor and with perfect fairness toward those who differed with him. To the religious denomination in which he was brought up he was warmly attached, serving for some years as a vestryman and afterward as a warden of Christ Church, Cambridge, and as secretary and afterward as treasurer of the Episcopal Church Association in Boston and its neighborhood; but he was free from every form of narrowness and exclusiveness. He had the tastes of a scholar, which his ample means enabled him to cultivate freely; and his frequent visits to Europe made him familiar with several of the modern languages, and stored his mind with the best fruits of foreign travel. His habits were exact and methodical; and in pursuing his historical investigations his industry was untiring. As Chairman of the Committee for publishing the Proceedings of this Society, he went far beyond the requirements of his office, even verifying every important statement and every reference to printed authorities in the communications of other members. He was a polished writer and a judicious critic. In the work of the Historical Society he took especial pleasure; and it is not the exaggerated estimate of personal friendship, but a cool and balanced judgment which all his fellow-workers will confirm, when it is said, as it has been said often, that the Society has experienced no heavier loss in recent years than by the early death of the subject of this Memoir.

## DECEMBER MEETING, 1884.

The monthly meeting was held on Thursday, the 11th instant. The President being absent, Dr. ELLIS took his place, and gave expression to the regret which was felt by all that Mr. Winthrop was detained at home by illness.

The Secretary read his notes of the previous meeting.

The Librarian mentioned the books which had been given to the Library.

The Corresponding Secretary announced that Messrs. William G. Russell and Edward J. Lowell had signified their acceptance of Resident Membership.

The Hon. GEORGE S. HALE then offered the following remarks:—

I ask leave to present to the Society, in behalf of Mrs. Mary Pratt Cooke Nash, the daughter of the late Josiah Parsons Cooke, long an honored and leading member of the Suffolk Bar, this "Lithographic Print" of the Instructions of the Town of Malden to their Representative in the General Court of Massachusetts in 1776, giving their assurance to that body that, if America should be declared "a Free and Independent Republic," they would "support and defend the measure to the last drop of their blood and the last farthing of their Treasure."

Chief Justice Marshall deemed this spirited paper of so much interest and importance, that he quotes it, in describing the advance of the desire and purpose of the colonies to separate from the mother country, in the first edition, published in 1804,<sup>1</sup> of his "Life of George Washington," in connection with like declarations by the city of Boston.

They deserve a prominent place as an early expression of these sentiments, although the controversy as to the exact order of the appearance of such declarations from different parts of the country does not seem to me of very great importance.

<sup>1</sup> Vol. ii. p. 407.

In the Massachusetts House of Representatives, on the 10th of May, 1776, it was "Resolved, as the Opinion of this House that the Inhabitants of each Town in this Colony, ought in full meeting warned for that Purpose, to advise the Person or Persons who shall be chosen to Represent them in the next General Court, whether if the honorable Congress should, for the Safety of the said Colonies, declare them Independent of the Kingdom of Great-Britain, they the said Inhabitants will solemnly engage with their Lives and Fortunes to Support the Congress in the Measure."

These Instructions were adopted by the town of Malden on the 27th of May, 1776, and are quoted by Marshall from the "Gazette." Mr. Frothingham, in "The Rise of the Republic of the United States" (page 507), refers to these meetings, and says: "The instructions of Malden and Boston were the earliest I have found in the newspapers." The former, I may add, were adopted on the 27th, the latter on the 23d, of May, 1776. By whom they were prepared does not appear of record; but the following letter from D. P. Corey, Esq., who is now engaged in the preparation of a history of the town, gives some additional particulars in regard to them, and his sketch of the town of Malden, in Drake's "History of Middlesex" (page 127), attributes the authorship to Peter Thacher.

MALDEN, Oct. 21, 1884.

Hon. GEO. S. HALE, Boston.

DEAR SIR,—I have your note of Friday. I understand that the lithograph of the "Instructions" was the result of a subscription obtained by the efforts of the late Rev. Sylvanus Cobb. Copies may now and then be found in the possession of old Malden families, although they are getting to be quite rare. One was recently presented to the Malden Public Library, and very appropriately hangs in its reading-room. The following extracts will give you some information:

In a warrant for a town-meeting, May 27, 1776, Art. 1,—

"To see if the Town will Choose a Committee to Advise the Person Chosen to Represent them in the next General Court whether that if the Honorable Congress Should for the Safety of the Colonies Declare them Independent of the Kingdom of Great Britain they the Said Inhabitants will Solemnly Engage with their lives and fortunes to Support them in the measure."

At the meeting:—

"The Town Resolved themselves into a Committee the Rev<sup>d</sup> Mr

Willis was Chosen Chairman the Committee Proceeded to Consider the matter and Prepared the following Instructions."

Ezra Sargeant was the representative to the General Court that year. You will notice that the town resolved itself into a Committee. Considering this, I suspect that the Instructions were already prepared, and only awaited presentation and acceptance by the town. Mr. Willis, the chairman, was the pastor of the South Church. I have no evidence that he was possessed of the proper spirit or the ability required to produce the ringing sentences of the paper. There was only one other in Malden who could have written them, and he had both the ability and the will. He had already done good work in the cause of freedom, and his name stands high among the ablest ministers of the Revolution. I think Peter Thacher, then pastor of the North Parish, and afterwards of the Brattle Street Church, Boston, must have been the author. I wish I could give you more definite information.

Yours very truly,

D. P. COREY.

Mr. Thacher needs no introduction to the members of this Society. Whitefield esteemed him the ablest preacher in America, and his political influence and eloquence were not inferior to those exercised and displayed in the pulpit.

He was chairman of the committee which reported the Instructions of the Town to their Representative, adopted at their meeting on the 23d of September, 1774, the vigorous close of which resembles the Instructions of 1776. "We are," they said, "determined in the strength of our God that we will, in spite of open force and private treachery, live and die as becomes the descendants of such ancestors as ours, who sacrificed their all that they and their posterity might be free."

They are referred to in "An Historical Discourse delivered at Malden," Dec. 1, 1831, by S. Osgood Wright, and in an oration, delivered May 23, 1849, on the two hundredth anniversary of its incorporation, by James D. Green.

At this celebration, Gilbert Haven, Jr. (the late Bishop Gilbert Haven), delivered a poem, in which I find the following passage, apparently referring to Mr. Thacher and to the sentiments expressed in the Instructions of 1776:—

"In the same green retreat another lies,  
Who stripped, like him, all sin of its disguise;  
And, not through sermons only, was the truth  
Announced by him, which roused both age and youth.

His ardent feelings may be yet discerned  
 In thoughts that through his brain their passage burned;  
 Closing his bold recital of great wrongs  
 In words not ill-becoming martial songs,  
 That they would spend for Justice' sake, with pleasure,  
 'Their blood's last drop, — last farthing of their treasure.'  
 Honor to him who thus his flock inflamed  
 To win a cause, through earth's wide borders famed!  
 His name suggests the era when desire  
 For Independence wrapt their souls in fire."

In Mr. Haven's effort to keep the memory of Mr. Thacher alive, he has buried him in the wrong place, since he does not lie in "the same green retreat" in Malden, but in the burying-ground or cemetery of the town of Milton, where, on the tablet of Peter Oxenbridge Thacher's tomb is found the following inscription:—

"On the 22<sup>d</sup> February A D 1827 were deposited here the remains of the Rev<sup>d</sup> Peter Thacher D D Pastor of the Church in Brattle Square in Boston who died Dec<sup>r</sup> 16 1802 aet 51 & of Elizabeth his wife who died Jan'y 26 1816 aet 71 years."<sup>1</sup>

I am not aware that these Instructions have ever been printed in full, (unless in the "Gazette," where I have not yet found them,) except in Force's "American Archives,"<sup>2</sup> and in the "Bi-Centennial Book" of Malden.

This copy comes from an old house, now standing in the town of Everett, formerly the parsonage house of the Rev. Mr. Eliakim Willis, for some fifty years a minister in the town of Malden,—a parsonage, which, during an unprosperous period, he was obliged to take for the arrears of his unpaid salary.

Mr. Willis had a niece, Sarah Willis, who is said to have been a person of great beauty. She married the Rev. Nahum Sargeant, a nephew of Ezra Sargeant, to whom the Instructions were addressed, by whom she had two daughters, Martha Willis and Elizabeth Howse. Mrs. Sargeant inherited the parsonage from her uncle Willis, and resided there, with her daughters, until the time of her death. She married, for her second husband, Colonel Popkin,<sup>3</sup> a widower, who had three

<sup>1</sup> As Dr. Thacher was born March 21, 1752, he died in his fifty-first year within but little more than three months of its completion.

<sup>2</sup> Vol. vi. p. 602.

<sup>3</sup> *Ante*, pp. 76, 260, 261. — *Eds.*

sons. By him she had one child, Ebenezer Willis Popkin, who died in the parsonage, December, 1883, at a very advanced age.

One of the sons of Colonel Popkin by his first wife was the Rev. John Snelling Popkin, who was graduated at Harvard College in the class of 1792. He was appointed tutor in Greek in the College in 1795, University Professor of Greek in 1815, and Eliot Professor of Greek Literature in 1826. This chair he held until 1833. He received from the College the degree of S.T.D. in 1815. He was also a member of this Society.

I trust it will not be inconsistent with the dignity of our Proceedings to add that Colonel Popkin and his son Professor Popkin were contemporaneous lovers of the beautiful Sarah Willis Sargeant, and that the son never married.

The eager devotion of the citizens of Malden to their own freedom and independence was not thought inconsistent with the existence of slavery in their midst, although, perhaps, it was that feeling which, more or less unconsciously, elevated the slave to the familiarity of a freedman. The story is told of a worthy citizen, who pompously announced to an aged slave of seventy years: "You have been a faithful servant to me and my father before me. I have long been thinking what I should do to reward you for your services. I give you your freedom! You are your own master! You are your own man!" The prospective freeman, however, preferred to remain dependent, and not to sacrifice what was now his all, simply that he might become free, — free to take care of himself at his own expense. "No, no, massa!" said he, slyly; "you eat de meat, and now you must pick de bone."

Mr. GOODELL presented the following communication:<sup>1</sup> —

I rise to offer for publication in our Proceedings transcripts of certain manuscripts which have never to my knowledge been printed in full. These have a bearing upon the controversy between our accomplished Corresponding Member, Dr. Moore, and myself, respecting some incidents of the witch-trials of 1692, and the subsequent reversal of the attainders of the condemned.

<sup>1</sup> This paper was communicated by title at the October meeting, but its publication has been necessarily delayed. — Eds.



The first is a letter from Governor Phips to the Earl of Nottingham, copied for me from the archives of the Public Record Office in London by Mr. Sainsbury.<sup>1</sup>

The copious extracts from this letter, first given to the public in Palfrey's "History of New England,"<sup>2</sup> show that Phips accused the Lieutenant-Governor (Stoughton) of causing "the *estates*, goods and chattels of the executed to be seized and disposed of" without his consent. This is a sufficiently distinct, authoritative, and contemporaneous averment that forfeiture or escheat, or both, were not only supposed by the highest judicial authority of the province to properly follow attainder for witchcraft, but were actually enforced by legal process. Another clause, not printed by Dr. Palfrey, shows the Governor's commendable desire to have all proceedings in the court of oyer and terminer here, stayed, until advice could be obtained from the judges in England as to the practice there in trials for witchcraft:—

Boston in New England Feby 21<sup>st</sup> 1693.

May it please yo<sup>r</sup> Lords<sup>h<sup>p</sup></sup>

By the Cap<sup>t</sup> of y<sup>e</sup> Samuell & Henry I gave an account that att my arrivall here I found y<sup>e</sup> Prisons full of people comitted upon suspition of witchcraft & that continuall complaints were made to me that many persons were grievously tormented by witches & that they cryed out upon severall persons by name, as y<sup>e</sup> cause of their torments y<sup>e</sup> number of these complaints increasing every day, by advice of y<sup>e</sup> Lieut Gov<sup>r</sup> & y<sup>e</sup> Councill I gave a Comission of Oyer and Terminer to try y<sup>e</sup> suspected witches & at that time the generality of y<sup>e</sup> People represented y<sup>e</sup> matter to me as reall witchcraft & gave very strange instances of the same The first in Comission was y<sup>e</sup> Lieut. Gov<sup>r</sup> & y<sup>e</sup> rest persons of y<sup>e</sup> best prudence & figure that could then be pitched upon & I depended upon y<sup>e</sup> Court, for a right method of proceeding in cases of witchcraft At that time I went to command the army at y<sup>e</sup> Eastern part of the Province for y<sup>e</sup> French and Indians had made an attack upon some of our Fronteer Towns, I continued there for some time but when I returned I found people much disatisfied at y<sup>e</sup> proceedings of y<sup>e</sup> Court for about Twenty persons were condemned & executed of which number some were thought by many persons to be innocent The Court still proceeded in y<sup>e</sup> same method of trying them which was by y<sup>e</sup> evidence of y<sup>e</sup> afflicted persons who when they were brought into

<sup>1</sup> America and West Indies, No. 591; also in Colonial Entry's Book, No. 62, p. 426.

<sup>2</sup> Vol. iv. p. 112, note.

y<sup>e</sup> Court as soon as the suspected witches looked upon them instantly fell to y<sup>e</sup> ground in strange agonies & grievous torments, but when touched by them upon y<sup>e</sup> arme or some other part of their flesh they immediately revived & came to themselves, upon<sup>1</sup> they made oath that y<sup>e</sup> Prisoner at y<sup>e</sup> Bar did afflict them & that they saw their shape or spectre come from their bodies which put them to such paines & torments: When I enquired into y<sup>e</sup> matter I was enformed by y<sup>e</sup> Judges that they begun with this, but had humane testimony against such as were condemned & undoubted proof of their being witches, but at length I found that the Devill did take upon him y<sup>e</sup> shape of Innocent persons & some were accused of whose innocency I was well assured & many considerable persons of unblameable life & conversation were cried out upon as witches & wizards The Deputy Gov<sup>r</sup> notwithstanding persisted vigorously in y<sup>e</sup> same method to y<sup>e</sup> great dissatisfaction & disturbance of y<sup>e</sup> people untill I put an end to y<sup>e</sup> Court & stopped y<sup>e</sup> proceedings which I did because I saw many innocent persons might otherwise perish & at that time I thought it my duty to give an account thereof that their Ma<sup>ties</sup> pleasure might be signified hoping that for the better ordering thereof y<sup>e</sup> Judges learned in the law in England might give such rules & directions as have been practized in England for proceedings in so difficult & so nice a point; When I put an end to y<sup>e</sup> Court there were at least fifty persons in prison in great misery by reason of the extream cold & their poverty most of them having only spectre evidence against them & their mittimus being defective I caused some of them to be lett out upon bayle & put y<sup>e</sup> Judges upon considering of a way to reliefe others & prevent them from perishing in prison, upon which some of them were convinced & acknowledged that their former proceedings were too violent & not grounded upon a right foundation but that if they might sit againe, they would proceed after another method & whereas M<sup>r</sup> Increase Mathew<sup>2</sup> & severall other Divines did give it as their Judgment that y<sup>e</sup> Devill might afflict in y<sup>e</sup> shape of an innocent person & that y<sup>e</sup> look & y<sup>e</sup> touch of y<sup>e</sup> suspected persons was not sufficient proove against them, these things had not y<sup>e</sup> same stress layd upon them as before & upon this consideration I permitted a spetiall Superior Court to be held at Salem in y<sup>e</sup> County of Essex on y<sup>e</sup> third day of January y<sup>e</sup> Lieut Gov<sup>r</sup> being Chief Judge their method of proceeding being altered, all that were brought to tryall to y<sup>e</sup> number of fifty two, were cleared saving three & I was enformed by the Kings Attorney Generall that some of y<sup>e</sup> cleared and y<sup>e</sup> condemned were under y<sup>e</sup> same circumstances or that there was y<sup>e</sup> same reason to clear y<sup>e</sup> three condemned as y<sup>e</sup> rest a<sup>c</sup>ording to his Judgment The Deputy Gov<sup>r</sup> signed a Warrant for their speedy execu<sup>c</sup>on & also

<sup>1</sup> Sic: "which" omitted?

<sup>2</sup> Sic in copy.

of five others who were condemned at y<sup>e</sup> former Court of Oyer & terminer but considering how y<sup>e</sup> matter had been managed I sent a reprieve whereby y<sup>e</sup> execu<sup>cion</sup> was stopped untill their Maj. pleasure be signified & declared the Lieut. Gov. upon this occasion was intraged & filled with passionate anger & refused to sitt upon y<sup>e</sup> bench in a Superior Court then held at Charles Towne & indeed hath from the beginning hurried on these matters with great precipitancy & by his warrant hath caused the estates, goods & chattles of y<sup>e</sup> executed to be seized & disposed of without my knowledge or consent, the stop put to y<sup>e</sup> first method of proceedings hath dissipated y<sup>e</sup> blak cloud that threatened this Province with destruc<sup>cion</sup>; for whereas this delusion of y<sup>e</sup> Devill did spread & its dismall effects touched y<sup>e</sup> lives & estates of many of their Ma<sup>ties</sup> Subjects & y<sup>e</sup> reputa<sup>cion</sup> of some of y<sup>e</sup> principall persons here & indeed unhappily clogged and interrupted their Ma<sup>ties</sup> affaires which hath been a great vexation to me! I have no new complaints but peoples minds before divided and distracted by differing opinions concerning this matter are now well composed

I am

Yo<sup>r</sup> Lordships most faithfull  
humble Servant

WILLIAM PHIPS

[Addressed] To the Rt. Hon<sup>ble</sup>  
the Earle of Nottingham  
att Whitehall  
London

[Indorsed] R [i. e., received] May 24, 98  
ab! Witches

The second paper has a less obvious but not less important bearing upon the same subject. It is the petition of Elizabeth Proctor to the General Court at the May session of 1696:—

To the Honourable Generall Court Asembled at Boston may twenty seventh 1696

the Humble petetion of Elizabeth procter widow and Relect of John procter of Salem decesed Humbly Sheweth

that in the yere of our Lord 1692 when many persons in salem and in other towns ther about were accused by som euill disposed or strangely Influenced persons; as being witches or for being guilty of acting witchcraft my sd Husband John procter and my selfe were accused as such and we both: my sd Husband and my selfe were soe farr proceded against that we were Condemned but in that sad time of darknes before my said husband was executed it is euident som body had Contrived awill and brought it to him to signe wher in his wholl estat is disposed of not hauing Regard to acontract in wrighting mad with me before mariag with him;

but see it pleased god to order by his providence that although the sentanc was executed on my dere husband yet through gods great goodnes to your petetioner I am yet alivue ; sine my husbands death the sd will is proued and aproued by the Judg of probate and by that kind of desposall the wholl estat is disposed of; and although god hath Granted my life yet those that Claime my sd husbands estate by that which thay Call awill will not suffer me to haue one peny of the estat nither vpon the account of my husbands Contract with me before mariage nor yet vpon the account of the dowr which as I humbly Cocceiue doth belong or ought to belong to me by the law for thay say that I am dead in the law and therfore my humble Request and petetion to this Honoured Generall Court is that by an act of this honoured Court as god hath Contenewed my life and through gods goodnes without feare of being put to death vpon that sentanc yow would be pleased to put me Into acapacity to mak vse of the law to Recouer that which of Right by law I ought to have for my nessesary suple and support that as I your petetioner am one of his majestyes subjects I may haue the benifett of his laws see Humbly prayeng that god would direct your honnours in all things to doe that which may be most pleasing to him I subscrib

your honnours humble petetioner

ELIZABETH PROCTOR  
widow

Read. 10<sup>th</sup> June. 1696. in Council.<sup>1</sup>

This petition was read in Council June 10, 1696, as appears by the above memorandum thereon. On the 28th of September the following entries appear in the legislative records of the Council:—

“Several Petitions were read and debated and Sent down to the House of Representatives.

“The Report of a Committee Appointed by the Board at the former Sessions of this Court upon Several petitions presented and lying under Consideration was read and Sent down.”<sup>2</sup>

Unfortunately the Representatives did not begin to print their journals until 1715. There is, however, no question that such records were kept from colonial times; but, not having been duplicated for the use of the Privy Council, probably all of them prior to 1715 perished irretrievably, with many other most valuable memorials of our early history, in the fire which destroyed the Court House in 1747. No clew, therefore, can

<sup>1</sup> Mass. State Archives, vol. cxxv. p. 109.

<sup>2</sup> Legislative Records of the Council, vol. vi. p. 447.

be obtained from that source to aid us in tracing to their end the proceedings thus briefly minuted in the records of the Council, or in ascertaining the purport of either of the petitions which were thus recorded as having been sent down for the consideration of the Representatives.

Some light, however, may be obtained from another quarter. The will of John Proctor, the husband of the above petitioner, had been admitted to probate in the Probate Court of Essex County, March 22, 1694-5, upon the complaint of Thomas Very and Elizabeth, his wife (who was a daughter of the testator), against the executors; and a committee had reported to the court, April 15, 1695, a division of the estate according to the will. After this last proceeding, and before the executors had rendered their account, the widow made the above application to the General Court.

Now, it is more reasonable to suppose that the devisees under John Proctor's will had procured some legislative action annulling the effect of his attainder, before they proceeded to demand the probate of the will, than that the judge of probate should have admitted that instrument to probate, regardless of the known attainder of the testator and the consequent forfeiture and escheat of his lands.

This surmise is strongly corroborated by the circumstance that the widow presented the above petition to the General Court, as well as by the subsequent action of the judge of probate. If the husband's disability had been removed, the widow, upon her application for dower (which I will presently consider), would have had it assigned to her, unless prevented by some other cause. But it will be remembered that she too had been attainted, and that therefore it was not enough that her husband had been reinstated: it was also necessary for her to apply to be similarly restored; otherwise she was barred by her own attainder, and was — as she complains the claimants of her husband's estate charged her with being — “dead in the law.”

Keeping these facts in mind, let us now turn to the probate records of Essex County, in search of a clew which the records and files in the State Archives fail to furnish. Here we find what certainly seems a probable solution of the mystery which involves the doings of the legislature respecting the above-named petitions after they had been sent down from the

Council, and reasonably conclusive evidence that the prayer of the widow's petition to the legislature was granted.

I cannot better show this than by giving, *verbatim*, as the third paper of this series, the record of the decree or "advice" of the judge of probate upon her petition for assignment of dower; only premising that Bartholomew Gedney, at that time Judge of Probate for Essex County, had been one of the justices of the court of oyer and terminer for the trial of the alleged witches, and that from the arrival of the charter until 1698 he was one of the Provincial Council, — the body which had considered the widow's petition to the General Court, and sent it down to the House for their action. In the absence of the record, there could be no better evidence than his personal knowledge, of the legislative proceedings of 1696. The probate record reads as follows: —

"April 19, 1697. Whereas Elizabeth Proctor, Relict, Widow of John Proctor Late of Salem dec<sup>d</sup> praying that a citation might go forth to the executors of the dec<sup>d</sup> to Render an accompt of their Executorship &c<sup>t</sup> who appear this day & say that their is no more or other Estate of the dec<sup>d</sup> Come to their hands or possession more than what was given in p Inventory: & the said Widow being restored to the benefit of the law the Judge's advice to the Executo<sup>r</sup>s is that they Render the s<sup>d</sup> Widow her Dowry in the said Estate."<sup>1</sup>

Probably — it may be said, most likely — the legislature very soon began to relieve the embarrassments of courts, and of parties in judicial proceedings, and the distresses of heirs and others, caused by the judgments of the court of oyer and terminer. At all events, I think it will not be denied that the above extracts not only fairly establish the fact that Elizabeth Proctor had the relief she sought for, but furnish some reason for supposing that her husband's will was probated under a similar legislative proceeding, which, in the absence of more direct evidence, we are warranted in presuming to have taken place.

Neither should these facts be disregarded in forming a theory to explain why, after the disallowance of the "act setting forth general privileges,"<sup>2</sup> corruption of blood, and escheats, as incidents to attainder for felony do not appear

<sup>1</sup> Essex Co. Probate Records, book 305, p. 262, new numbers.

<sup>2</sup> 1692-93, chap. 11.



to have been enforced by the courts throughout the subsequent history of the province. It is possible that the provisions of this act were revived and continued by a resolve, of which there is no existing record. Indeed, this resolve may have been a part of the legislation immediately following the petition of the widow Proctor, and by a common misfortune it may have shared the fate of the lost resolve which restored her forfeited rights. By that time information had been received from England of the disallowance of the "act setting forth general privileges"; and a prompt remedy may have been applied by way of resolve, which the Lieutenant-Governor, then acting as chief magistrate, would not be loath to approve, and which, if it did not clearly appear in the minutes of the Council, would escape the animadversions of the law officers of the crown. If the provisions of this act were not kept alive in some such way, it is difficult to account for the opinion which seems to have been held by the old lawyers of this State, that the act remained in force until it was superseded by similar provisions in the Constitution.<sup>1</sup>

The fourth paper offered is the following petition of John and Joseph Parker, which gives an instructive glimpse of the manner in which the sheriff proceeded against the "estates" of the attainted. It does not appear that Mary Parker was seized of any real estate at the time of her attainder; and this petition, therefore, may be of service to those who contend that the word "estates" was not used in a technical sense in any of the proceedings relative to witchcraft. To this point it may be properly said in reply, that this was the petition of persons evidently not skilled in the niceties of legal language, and therefore is not a standard for determining the intended significance of words used some fifteen years later in a formal act of legislation.

The declaration that the petitioners "know not of any law in force in this Province" by which the estate of their mother should be forfeited upon her condemnation, is evidently grounded upon the "act setting forth general privileges," which had become a law nearly one month before their petition was filed, and probably before some of the acts and demands complained of against the sheriff had been made and

<sup>1</sup> See Sullivan's History of Land Titles, p. 385; Ancient Laws and Charters (by Dane, Prescott, and Story), p. 214.

committed. By this act, as we have seen, all forfeitures and escheats, and all corruption of blood, except in cases of treason, had been abolished.

To his Excellency the Governo<sup>r</sup>, and Council and Representatives, now sitting in Boston

the humble Petition of John Parker, & Joseph Parker of Andover Sheweth,

That whereas our mother Mary Parker of Andover, was apprehended upon Suspition of Witchcraft, and being brought to a tryall at Salem Court, was condemned: Since her Death the Sherriff of Essex Sent an officer to seise on her estate. The said officer required us in their majestyes name to give him an Account of our mothers estate, pretending it was forfeited to y<sup>e</sup> King; we told him that our mother left no estate; (which we are able to make appear) notwithstanding which, he seised upon our Cattell, Corn & hay, to a considerable value: and ordered us to go down to Salem and make an agreement with y<sup>e</sup> Sherrife, otherwise the estate would be expos'd to Sale. We not knowing what advantage the Law might give him against us, and fearing we Should Sustain greater Dammage by y<sup>e</sup> loss of our estate, went to the Sherriff accordingly, who told us he might take away all that was seisd, if he pleas'd but was willing to do us a kindness by giveing us an opportunity to redeem it. He at first demanded ten pounds of us, but at length was willing to take Six pounds, which he has oblig'd us by Bill to pay him within a moneth. Now if our Mother had left any estate, we know not of any Law in force in this Province, by which it Should be forfeited upon her condemnation; much less can we understand that there is any Justice or reason, for y<sup>e</sup> Sherriff to Seise upon our estate

And tho it is true ou<sup>r</sup> own act has obliged us to pay him a Summ of money, yet we declare that we were drawn to it partly by the officers great pretences of Law for what hedid, partly to prevent y<sup>e</sup> loss of our estate which we feard would be immediately Sold.

Now we humbly pray this Hon'd Court to consider our case, and if it be judged that So much money ought not to have been demanded of us, upon the forementioned account: we pray that we may be discharg'd from that obligation, which the Sherriff, takeing advantage of our ignorance hath brought us under. And yo<sup>r</sup> Petition<sup>r</sup>s as in duty bound shall ever pray &c. —

JOHN PARKER.

JOSEPH PARKER.

Dated at Andov<sup>r</sup>

7<sup>th</sup> Novemb. 1692.<sup>1</sup>

<sup>1</sup> Mass. State Archives, vol. cxxxv. p. 65.

Lastly, I offer the following transcript and translation of the questions propounded by Joseph Dudley to the Dutch and French clergymen of New York, in October, 1692, on the subject of witchcraft, in order to procure better direction in future trials of the accused in Massachusetts. I have, in like manner, added the answers of the clergy to whom these questions were addressed. The Collections of the New York Historical Society for 1869 contain an imperfect abstract of these questions and answers, found among the papers of the Rev. John Miller, who was chaplain to the royal forces in New York from 1692 to 1695; but I do not know that they have ever been printed in full. These answers are important, as being, according to Cotton Mather, one of the causes which led Phips to first reprieve, and then pardon, many of the condemned.<sup>1</sup>

*De veneficio quæstiones Reuerendissimis e Belgio et gallia Theologis propositæ.*

Apud N. Ebor.

5<sup>o</sup> octob. 1692.

1. An concedatur quasdam per omnes ætates a primo hominis lapsu a Deo derelictas ita esse, vt se Dæmonis Seruitio (quo facilius malitiam aduersus sodales perpetrent) penitus dedissent, vulgo veneficæ appellatæ.

2. Vbi vera et formalis veneficii natura (qva data aut subla) [sublata] veneficium denominatur vere consistit.

3. An ad veneficii conuictionem Diabolicis et præternaturalibus in cruciatis actionibus, malitia, inimicitia, et maledictio præuia sit probanda, an rationabiliter tantum vt plurimum expectanda.

4. An phantasma Seu apparitio cuiusdam cruciatis vim et Injuriam Instanter ferentis absque malitia et minis præuiis ipsum illud Spectrum afflictorum oculis aut Imaginationi propositum, sit justa veneficæ conuictio.

5. An cum Sacrosancto Dei omnipotentis mundi regimine fistere possit Diabolo veniam dare innocentium formas et figuras cruciatorum oculis aut imaginationi proponere veluti authores et Instrumenta passionum.

6. an talis etiam exinde apparitio sit justa veneficii conuictio necne.

7. Num contra longam Seriem justæ christianæ et charitatis plenæ vitæ apud homines approbatam valeat grauis afflictorum criminatio veneficium euincere, præsertim vbi nulla præuia malitia innotescit.

8. An hujusmodi cruciati continua poena lacerati, convulsi et multis miseriis pluribus mensibus contriti diluantur, minuuntur, aut etiam mag-

<sup>1</sup> See Mather's Life of Phips, 1697, p. 79; and again in "The Magnalia," Hartford edition, 1820, vol. i. bk. ii. p. 101.

nam naturalium Spirituum tum corporis, tum animæ consumptionem luant necne. Finaliter grauem suspicionis causam præbeat etiam afflictis ignorantibus Dæmonis illusionem Instare.

*Ad præcedentes quæstiones brevis responsio.*

Respondetur ad primam quæstionem, plurimos, qui negativam partem amplexi sunt, extitisse; inter quos Plinius ille Mysteriorum naturæ Indagator, sed eximius mendax primum obtinuit locum. sed quid mirum? cum fuerint et Sint adhuc Impii qui Deum esse negent, etsi naturarum, omnium populorum consensus, ipsa Improborum conscientia et variæ Divinæ reuelationes aduersus Impium dogma Inuictissime militent.

Verum maxima pars virorum doctorum Saniorem mentem habentes contrariam Iniere Sententiam. Et reuera qui potest in dubium vocari quin sint, qui cum Diabolo immediatum commercium habeant, nisi prius lex et Evangelium Dei meræ existimentur fabulæ, omnium populorum consensus ut pura puta Stultitia dejiciatur, et ratio humana prorsus explodatur.

Nam Si Diabolum esse Supponas (quod nisi fieri velis Impius supponere debes) eumque creaturam summæ miseræ, Invidiam, astutam et potentem, nullum lapidem ad explendam Invidiam, et miseriam propriam quodam modo miserorū consortio subleuandam mouere non debet, tentabit homines et in castra Sva trahere conabitur, ut exinde in idem Barathrum secum protrudat. In hunc finem mendaciis, præstigiis, promissionibus, voluptatibus aut fictis aut veris, honoribus, diuitiis aliisque innumeris utetur illecebris. quid! eruntne tot et tantæ tentationes Semper irritæ? præsertim in homines carnales et Sensuum voluptatibus deditos! in eos Imprimitis, qui nihil nisi præsentia curant. hoc verisimile non est. igitur pro hominum moribus et astutia potentiaque Diaboli, esse homines qui cum Diabolo commercium immediatum habeant concludere possumus. Astipulatur rationi consensus omnium populorum. quid? an verum non est quod omnes gentes verum esse testantur. meritisimo jure credimus esse Deum, quia nullus fuit Inquam populus qui Deum esse falsus non fuerit. verum præsumi debet, quod a Duobus vel tribus dicitur esse verum, multo magis quod vnanimi consensu populorum asseritur. Jam autem si hoc non fuit populorum sententia inter homines esse quosdam qui cum Diabolo immediate communicent, cur Singulæ gentes quædam nomina propria et aptata ad tales homines Indicandos habuere? veluti אַרַב inter hebræos, Πυθων, vel Φαρμακουργη [sic] inter græcos, Sage et venefica Inter Romanos &c. eruntne mera nomina et voces absque fundamento fictæ? sed accedit quod leges aduersus tales homines latæ fuerint, ut ipse plinius refert de quodam Cresino, qui coactus est ut se veneficii criminis purgaret, coram Iudicibus comparere. Plin. lib. 18. 6.

Jn promptu efset multorum exempla narrare, qui arte Diabolica sibi famam compararunt, vt mulieris illius, quæ vt ait Acron, carminibus et herbis mala hominibus accessere vel pellere dicebatur, et ejus iterum, quæ Juxta Apul. poterat cælum deponere, terram suspendere, fontes durare, montes diluere, manes Sublimare, Deos Infirmare; sed quis efset narrandi finis. Consensum populorum excipiunt lex et Euangelium. tempore Mosis veneficos fuisse nemo negavit, siquidem, Mose ipso referente, præstigiatrices et Spiritum Pythonis habente[s] mandato Dei morte plecti deberent; Exo. 22. Deu. 20 [sic]. — Erant etiam certe tempore Saulis, cum et ipse Pythonissâ confuluerit, Quid! nonne patet Scriptis Prophetarum Ægyptios, chanaanæos, Philistæos, Sydonios, Tyrios, Moabitas, Ammonitas, Idumæos et ipsos Jsraëlitæ præstigiis et præstigatoribus fuisse deditos? certe illi præstigiatores et Spiritum Pythonis habentes aut nihil erant præter ficta nomina, aut commercium Immediatū cum diabolo habebant. Idem narræonibus Evangelicis euincitur. tempore christi et Apostolorum præstigiatores erant et Pythonissæ. hoc tam clarè patet euangelistarum et Apostolorum acta et Scripta legentibus, vt locis indicandis operam nauandam non existimen.

Possemus etiam, si liberet æui nostri de sagis et præstigatoribus historias narrare, sed nullus efset narrandi finis; legantur hemmingivs de Magia, et Danæus de fortariis.

ad 2<sup>m</sup> quæst<sup>n</sup>

Respondetur rationem formalem venefici [sic] in confæderatione cum Diabolo consistere. Jn eo Scilicet quod homo Imperium Dei creatoris nostri ac supremi Regis, cui ratione dependentiæ nostræ in omnibus obedire, et ejus gloriam pro virili aduersvs ejus hostes tueri tenemur, [deserit] in Jn [sic] Castra Diaboli aduersvs Deum militaturus transit, vt Imperium Diaboli quantum in se est ampliet et Stabiliat. Jn cujus defectionis compensationem, ad implendas libidines suas opem Diabolus illi vicissim promittit. Itaq ex una parte homo Jugum Dei excutit præceptis ejus et promissionibus valedicens, vt totum se Diabolo mancipet eumque Loco Dei habeat; et ex altera parte, unam hominis libidinem aut plures aut omnes Se expleturum Diabolus Spondet.

ad 3<sup>m</sup> quæsti.

Respondetur cum inimicitia aut malitia præuia indicium certum ad aliquem veneficii conuincendum minime præbeat; siquidem et vir bonus Inimicitiam aduersus proximum concipere possit, et nocendi Studium fouere, et homo malus et Diabolicus artem pessimam sub amicitia et beneuolentia ficta occultare; nihil esse inquirendum de malitia præuia in eo, qui arte Diabolica et actionibus præternaturalibus hominibus mala accessere legitime conuinci potest. Nam in tali homine nocendi Studium tanquam in mancipio Diaboli supponendum est, quibuscunq

modis prauitatem Suam occultare conetur. hæc enim est ars Diaboli et mancipiorum ejus vt quantum fieri potest animum et oculos perspicacium fallant et omnem amoueant Suspicionem.

ad 4<sup>m</sup> quæ.

Respondetur ad conuictionem venefici aut veneficæ nullo modo Sufficere Phantasma seu apparitionem ejusdam vim et Injuriam cruciatis instanter facientis, etiam si Inimicitia et minæ præcesserint. ratio est quia Diabolus viri boni Speciem potest Induere et illam cruciatorum oculis tanquam principium afflictionum, quas patiuntur, intentare. si enim oculis Saulis viri Dei demortui Samuelis objicere potuit, quidni viri Dei viuientis figuram oculis eorum, quos Immediate vexat intentare poterit, vt odium, mærorem, vincula, et etiam mortem accersat illis; nec ad inimicitiam præuiam vel minas attendendum est, quia hæc pariter in virum probum et improbum cadere possunt.

ad 5<sup>m</sup> quæ.

Respondetur minime aduersari Sanctissimo Dei regimini quod vexare aliquem induta viri ejusdam boni imagine Diabolo permittat. vt Deus est Supremus mundi Monarcha et summum jus habet in creaturas, hæc pariter illi licet et creaturam affligere, et ad id quibuslibet Instrumentis vti, præsertim cum malum in bonum mutandi calleat artem peritissime. et quidquid agit propter bonos fines agat. Jobum virum sanctum mirum in modum vexandi Diabolo licentiam dedit, et per tentationis euentum gloriam suam illustrauit, patientiam et virtutem ferui Sui manifestauit, et Satanam confudit. cum Diabolus Dominum nostrum I. C. in deserto tentauit oculis ejus Ideam et imaginem totius mundi Imperiorū ostentauit. hoc nullam aspersit labem regimini Dei, qui passus est vt inimicus Infensissimus in dilectum suum imagine mundi abuteretur, cur igitur aduersaretur ejus Imperio Sanctissimo si viri boni imagine diaboli abuti patiatur? Verum dices, Deo ita permittente, virum bonum in odium et vitæ discrimen immerito venturum; quid! tum post ea? an non licebit Deo virum peccatorem etfi fidelem et pium in hoc calamitosum vitæ genus detrudere, ad tentendam ejus pietatem et virtutem? nonne Job vir Sanctissimus ab amicis Suis propter calamitosam conditionem Suam et contemptus et Lacepsitus fuit? Certe talem tantam calamitatem vir pius et Sanctus nullo modo meruerat. Itaque si Semel Deum posse creaturam immerentem affligere concesseris, vt illi liceat quibuscumque instrumentis vti illico concedas oportet. hic autem creaturam immerentem voco, non quæ ab omni labe prorsus Sit immunis; nulla enim talis est inter homines, sed quæ patitur ob injustā et falsam accusationem, talem autem creaturam affligi Deus pati potest pro Summo Suo Jure etfi talem afflictionis speciem, habito hominum respectu non sit commerita.



ad 6<sup>m</sup> qvæsti.

Respondetur quum nihil impediat quin Diabolus Impositor et præstigiator oculos et phantasmia hominum fascinare valeat, et imaginem viri boni iis quos ipse immediate vexat, intentare, vt supra obseruatum est; maxime Imprudentiæ foret talem hominem vt veneficum condemnare propter hanc rationem, quod ejus imago cruciatis, dum patiuntur, obuerteretur. In hoc casu Judices perspicaces et cauti esse debent, ne consilio et astutiæ Dæmonis Imprudentes faueant; nam duo simul Intendere potest, Scilicet vnum vexare ad alterius imaginis presentiam, et illum cuius imaginem protendit in malam famam et vitæ discrimen conjicere, est enim et mendax, et tortor, et homicida.

ad 7<sup>m</sup>

Respondetur linguam [*sic*] vitæ probæ et charitatis plenæ seriem et modum vivendi omnibus probatum à veneficii accusatis cruciatorum testimonio, criminis Intentati suspicionem probabiliter amouere; vix enim fieri potest vt qui in Diaboli castris militat, Speciem militis christi diu valeat effingere. verum tamen hoc indicium certum et indubitatum falsæ criminationis esse non existimem; quia non video, cur homo astutus artes Diabolicas sub bonæ vitæ Specie, vt suspicionem et justam condemnationem effugiat occultare non possit. ipse Diabolus verum aliquando dicit, et bonum morale concionatur vt facilius et cautius fallat.

ad 8<sup>m</sup> qvæst.

Respondetur fieri posse vt qui reuera a Diabolo cruciantur, convelluntur et multis miseriis per plures menses affliguntur nullam corporis diminutionem, nullamque Spirituum debilitatem patiantur. ratio est quia Stomacha nullam læsionem patiente nutritio potest esse perfecta; Imo Diabolo Sic procurante Stomachus cruciatorum validior factus majorem alimentorum copiam appetet et deglutiet quam antea Solebat, et ea perfecte dequoquendo et digerendo omne damnum per cruciatus illatum facili negotio refarciet. Deinde dubitandum non est quin Diabolus, Deo ita permittente, Spirituum naturalium dissipationem Impedire valeat. Ego alias me hominem mania affectum vidisse testor, qui Singulis mensibus circa plenilunium per octo dies per montes et campos vagabatur nullum alimentum per id tempus deglutiens præter aquam, qui tamen nec corporis, nec roboris, nec faciei coloris diminutionem aut mutationem patiebatur. Spiritus naturales non solum inedia non frangebantur, sed vi morbi in Statu et conditione nativa retinebantur. quod autem causa quodam modo naturalis præstat, Diabolus præstare posse non dubito, cum et actiuis passiva et passivis activa adaptare bene novit.

finis

has præcedentes Solutiones ad quæstiones propositas vt veras no<sup>o</sup> Infra Scripti approbamus.

in nostro  
congressu  
ecclesiasti[c]o  
11 Octob. 1692.

HENRICUS SELIJNS }  
PETRUS PEIRETUS } Ministri Neo-Eborenfes.  
GODEFRIDUS DELLIVS  
Belg. Ecclæ. Neo Alb<sup>o</sup> Miñ:  
RUDOLPHUS VARICH  
Miñ in Midwoort

*Questions concerning Witchcraft, laid before the most reverend clergy from  
Belgium and France.*

At New York  
Oct. 5, 1892.

1. Whether it is indisputable that in all ages, since the first fall of man, some women, commonly called witches, have been so abandoned by God, that they have given themselves wholly to the service of the Devil, in order the more easily to exercise their malice against their fellow-men?

2. Where[in] does the exact and formal nature of Witchcraft (that which, whether given or tendered, is called witchcraft) truly consist?

3. Whether in order to convict of Witchcraft by Diabolical and preternatural acts towards the tormented, it is necessary to prove previous malice enmity and cursing, or whether these are to be reasonably presumed, [as] in most cases?

4. Whether the spectre or apparition of one who has previously neither shown malice nor made threats, put before the eye or imagination of the afflicted, as immediately exercising force and injury upon them, is sufficient for a just conviction of a witch?

5. Whether giving the Devil permission to place before the eyes or the imagination of the afflicted the forms and figures of innocent persons, as the authors and instruments of their sufferings, is consistent with the holy government of the world by Almighty God?

6. Further, whether or not such an apparition is of itself sufficient for a just conviction of witchcraft?

7. Whether a serious accusation by the afflicted is sufficient to prove witchcraft, against a long continued consistent, just, Christian life, full of charity, and approved by mankind, where no previous malice is made known?

8. Whether or not those who are, in such manner, tortured by continual pains, wounded, convulsed and threatened with many miseries, through several months, are worn out, wasted or suffer even a great loss of their natural spirits, bodily, as well as mental? Finally, whether this does not furnish grave cause for suspicion that the Devil has exhibited an illusion, without the knowledge of the afflicted?

*A Short Answer to the foregoing Questions.*

It is replied to the first question, that there have been many who have maintained the negative, among whom Pliny, the famous investigator of the mysteries of nature (although an extremely mendacious one), stands first. This is not to be wondered at, since there have been, and still are, impious men who even deny the existence of a God, although nature, the consent of all nations, the very consciences of the wicked, and various divine revelations, militate most triumphantly against this impious dogma. But the majority of the learned, possessing sounder minds, have adopted the contrary opinion. And, indeed, how can it be doubted that there are persons who have immediate commerce with the Devil, unless the divine law and gospel be considered as mere fables, the concurrent opinion of all nations be rejected as pure stupidity, and human reason totally exploded? For, if you suppose the existence of a Devil (which must be supposed unless you intend to become impious), and that he is a most miserable, envious, cunning and powerful creature, he is one who will leave no stone unturned to gratify his envy, and alleviate his own misery in some manner, by consorting with other wretches; he will tempt men, and try to drag them into his camp, in order that thereafter he may thrust them into his own abyss. To this end, he makes use of lies, miracles, promises, fictitious or real sensual indulgences, honors, riches, and other innumerable allurements. Can it be supposed that so many and great temptations will be ineffectual, especially with carnal men, given to sensual pleasures? and, above all, with those who care for nothing but the present? This is not probable; therefore, in view of the common conduct of mankind, and the cunning and power of the Devil, we may conclude that there are people who have immediate commerce with the Devil.

To this reasonable conclusion all nations consent; and can it be supposed that that is not true, to the truth of which all nations testify? We have the best right to believe that there is a God, because, I affirm, there never was a nation which has not acknowledged his existence. What is affirmed by two or three is presumed to be true; how much more certain is that which is unanimously asserted by all nations! But even if it had not been the judgment of all nations that there are those among men who associate immediately with the Devil, why has every nation had certain peculiar and fitting names to denote such people? — as, for instance, **דין** with the Hebrews, **Πύθων** or **Φαρμακοννη** with the Greeks, *saga* and *venefica* with the Romans, etc. Are these mere names, made up without any real foundation? But it must be added that laws have been made against such people; as Pliny himself reports of a certain Cresinus, who was compelled to appear before the

judges, in order to clear himself from the charge of witchcraft: Plin. 18. 6. It would be easy to relate many instances of persons who have acquired a reputation for devilish arts, as the woman mentioned by Aeron, who was said to inflict upon people, or expel from them, evils by means of incantations and herbs; and, again, of her, in Apulia, who could call down the sky, suspend the earth, render the springs solid, and the rocks liquid, raise the spirits of the dead, and deprive the gods of their power: but where shall this narrative end?

After the consensus of all nations, come the law and the gospel. That witches existed in the time of Moses, no one has denied. Moses himself declares that witches, and those that had the spirit of a python, were, by commandment of God, to be punished with death: Exod. 22; Deut. 20 [18]. Moreover, there were such in the time of Saul, since he himself consulted a pythoness. And is it not plain from the writings of the prophets, that the Egyptians, Canaanites, Philistines, Sidonians, Tyrians, Moabites, Ammonites, Idumeans, and the Israelites themselves, were given to miracles and miracle-working? Assuredly, those wizards, and persons having the spirit of a python, were either nothing but fictitious names, or they had immediate intercourse with the Devil.

The Gospel narratives also prove the same thing. In the days of Christ and the Apostles there were miracle-workers, and women who were soothsayers. This is so clearly evident to every reader of the Acts, and the writings of the Evangelists and Apostles that I do not think it worth while to quote the passages.

We might also, if we chose, recount the history of witches and wizards in our own age; but there would be no end of narrating. Let those who desire this information, read Hemming, "*De Magia*," and Daneau, "*De Sortiariis*."<sup>1</sup>

To the second question it is replied, that the formal essence of witchcraft consists in an alliance with the Devil; that is to say, in that men [desert] the realm of God our Creator and Supreme King—whom all are bound to obey in everything by reason of our dependence upon him, and whose glory every one, to the extent of his ability, is bound to maintain against his enemies—and go over to the camp of the Devil, in order to fight against God, so as to increase and strengthen, as

<sup>1</sup> I gratefully acknowledge the service done me by Professor Henry W. Haynes, not only in carefully collating the above copy with the original manuscript, and in critically revising the translation, but in ascertaining for me the full titles of the works here referred to, and the names of their obscure authors, as follows:—

Hemming, Nicolas: *Admonitio de superstitionibus magicis vitandis*. Hafn., 1578. 8vo.

Daneau, Lambert: *De veneficio, quos olim sortilegos, nunc autem vulgo sortiarios vocant, dialogus*. Genev., 1573. 8vo.

much as they can, the kingdom of the Devil. In return for this defection, the Devil, on his part, promises them his aid to gratify their lusts. Thus man, on the one part, throws off the yoke of God, bidding farewell to His precepts and promises, in order to belong wholly to the Devil, whom he holds in the place of God; and, on the other part, the Devil engages to satisfy one or all or most of the lusts of the man.

To the third question it is replied, that — since previous enmity or malice by no means offers certain evidence for conviction of witchcraft (it being possible for even a good man to conceive enmity against his neighbor, and to foster a desire to injure him; and for a bad and devilish man to be able to conceal the very worst practices under the appearance of friendship and benevolence) — no inquiry concerning previous malice is necessary, in the case of one whom it is possible lawfully to convict of having afflicted others with evils by devilish arts, and supernatural actions; for the desire to do harm must be presumed in such a man, (as being a slave of the Devil) though he may attempt to cover his wickedness by what means soever. For such is the cunning of the Devil, and his servants, that they deceive, as much as possible, the eyes and minds of the discerning, and remove all suspicion.

To the fourth question it is replied, that the spectre or apparition of one who immediately works violence and injury upon the afflicted, is by no means sufficient to convict a wizard or a witch, although preceded by enmity and threats. The reason is, because the Devil can assume the shape of a good man, and present this shape before the eyes of the afflicted, as the source of the afflictions which they suffer. For, if he was able to place the shape of the dead man of God, Samuel, before the eyes of Saul, why can he not be able to exhibit the shape of a living man of God to the eyes of those whom he presently afflicts, in order that he may bring hatred, afflictions, fetters, and even death upon them? Nor is any attention to be paid to previous enmity or threats; because such may befall a just man equally with a wicked man.

To the fifth question it is replied, that it is by no means repugnant to God's most holy government, that he permits the Devil in the shape of a good man, to annoy any one. As God is the supreme monarch of the world, and has a sovereign right over his creatures he is at liberty equally to afflict his creatures and to make use of any instrument he may choose for this end, — especially as he is most skilful in turning evil into good. Whatever he does he may do for a good purpose. He permitted the Devil to marvellously vex the holy man, Job, and by the event of the temptation, illustrated his own glory, manifested the patience and virtue of his servant, and confounded Satan. When the Devil tempted our Lord Jesus Christ in the wilderness, he spread before his eyes the idea and image of the empires of the whole world. It did not affix a stain on the government of God, to suffer his most malig-

nant enemy to abuse the image of the world against his Beloved One; why, therefore, should it be deemed repugnant to his most sacred authority, for him to allow the Devil to abuse the spectre of a good man?

But you will say, If God thus permits, a good man will incur undeserved hatred, and stand trial for life or death. What then? Shall not God be allowed to thrust a sinful, though faithful and pious man into such calamitous experience in order to try his piety and virtue? Was not the most holy man, Job, despised as well as reviled by his friends because of his miserable condition? That pious and holy man had certainly in no way merited his calamities. If, therefore, you once concede that God can afflict an innocent creature, you must further admit that he is at liberty to make use of whatever instruments he pleases. By "an innocent creature" however, I mean here, not one who is entirely spotless (for such an one does not exist among men), but one who suffers by reason of an unjust and false accusation. But God, in accordance with his supreme right, can suffer such a creature to be afflicted although, from a human standpoint, it has not deserved such a kind of affliction.

To the sixth question it is replied: although nothing hinders the Devil, as an impostor and juggler, from exercising the power to bewitch the eyes and fancy of men, and to present the spectre of a good man to those whom he himself is vexing, as is above observed, still to condemn such a man as a wizard, for the reason that his spectre is presented to the afflicted while they are suffering, would be the greatest imprudence. In such case, the judges must be astute and cautious lest they rashly favor the purpose and cunning of the Devil; for he may intend two things at once; namely, to vex the one, while he exhibits the spectre of the other, and so to bring the latter, whose image he is simulating, into bad repute and danger of his life — for he is a liar as well as a tormentor and murderer.

To the seventh question it is replied, that an honest and charitable life and conduct, of long continuance, such as meets with universal approbation, probably removes the suspicion of criminal intent from those who are accused of witchcraft by the testimony of the afflicted; for it can hardly be that he who fights in the camp of the Devil should have the power, for a great while, to put on the appearance of a soldier of Christ. Nevertheless, I should not believe this to be sure and indubitable evidence of false accusation, because I do not see why a cunning man may not conceal his devilish practices under the semblance of a good life, in order to escape suspicion and righteous condemnation. The Devil himself sometimes tells the truth, and proclaims good morals, in order the more easily and insidiously to deceive.

To the eighth question it is replied, that it is possible for those who



are really tortured, convulsed and afflicted by the Devil with many miseries, during several months, to suffer no wasting of the body, and no weakening of their spirits. The reason is, that nutrition is perfect—the stomach suffering no injury. On the contrary, if the Devil so procure it, the stomach of the tortured, having become stronger, will crave and swallow greater quantities of nourishment than before, and will easily repair all the injury caused by the tortures, by perfectly digesting and assimilating its supply of food. Hence it is not to be doubted that the Devil (God permitting it), has power to prevent the impairment of the natural spirits. I testify that I have seen elsewhere, a man affected with mania who every month about the time of the full moon wandered in the mountains and through the fields, for eight days, taking no nourishment but water during that time, who, nevertheless, suffered no diminution or change either of body, vigor, or color. His natural spirits were not only not broken by his fasting, but were preserved in their normal state and condition by the power of his malady. That the Devil can produce that which is produced by a kind of natural cause I do not doubt, since he well knows how to balance liabilities with assets and assets with liabilities<sup>1</sup>

The End.

We the undersigned affirm the above-written solutions of the questions propounded, to be true.

In our	HENRY SELJNS	} Ministers of New York.
church	PETER PEIRETUS.	
congress,	GODFREY DELLIUS,	Minister of the Dutch
		Church at New Albany.
11 October, 1692.	RUDOLPH VARICH,	Minister at Flatbush.

Mr. YOUNG presented to the Society, from Mr. T. Fales Gray, of Boston, a book of manuscript sermons of the Rev. Dr. Samuel Stillman, who, born in Philadelphia in 1737, was for more than forty years pastor of the First Baptist Church in this city, and was a most eloquent and popular preacher. He was one of the founders of Brown University, and he belonged

<sup>1</sup> From two or three conjectural translations of this passage, neither of which was very certain, I have adopted the above upon the authority of a friend whose long familiarity with Latin authors, ancient and modern, had conclusive weight with me on a point of such difficulty that the learned gentleman for whose careful revision of these pages I have above acknowledged my obligation would not attempt to decide what was the precise idea intended to be conveyed by this phrase.

also to the Pennsylvania Society for promoting the Abolition of Slavery, the Relief of Free Negroes unlawfully held in Bondage, and for improving the Condition of the African Race; and his certificate of membership in that Society was also presented.

Edward Channing, Ph.D., of Cambridge, was elected a Resident Member of the Society.

Mr. DEANE, from the Committee on the Trumbull Papers, reported that a volume of them would shortly be ready for distribution. This volume will consist of papers relating to the Narragansett country, and of letters of Dr. William Samuel Johnson to the governors of Connecticut, from 1767 to 1771. He was sent to London as the agent of that State to look after the celebrated Mohegan case before the Privy Council. While there, he attended the sittings of Parliament during the interesting period which followed the repeal of the Stamp Act, and in his letters he reported many speeches and detailed the gossip of the time. These letters are written with great freedom and elegance; and it was proposed to publish them soon after they were obtained by this Society in 1795, but the consent of the writer, who was then President of Columbia College, could not be obtained.

Dr. ELLIS expressed great satisfaction that a volume from the Trumbull Papers, which had been long in possession of the Society, was to be printed; and he hoped that other volumes from this large collection of historical material would soon follow.

Dr. E. E. HALE remarked that the report of one of the most brilliant of Chatham's speeches was due to the pen of Dr. Johnson. He said, also, that the official account of the battle of Bunker Hill was written by the Rev. Peter Thacher, when he was twenty-three years of age, and as he saw it from the Malden side of the river, and that the variations in the British account are to be explained by the fact that it was written from the opposite side.

Many interesting anecdotes and personal reminiscences were given by various members at this meeting.

## JANUARY MEETING, 1885.

The usual meeting was held on Thursday, the 8th instant; Dr. GEORGE E. ELLIS in the chair. The President was again absent in consequence of ill-health; but the Society was glad to learn that he was much better, and that there was reason to believe that he would, in time, resume his place at its meetings.

The Recording Secretary read his report of the doings of the last meeting.

The Librarian submitted the list of donors to the Library.

The Corresponding Secretary stated that Dr. Edward Channing had accepted his election as a Resident Member.

The following letter from Mr. Francis Parkman was then read by Dr. ELLIS:—

HON. ROBERT C. WINTHROP,  
*President of the Massachusetts Historical Society.*

DEAR SIR,— I enclose herewith a list of historical manuscripts relating to the French in America, which I beg to offer to the Society under the following conditions:—

The collection, together with such additions as I may hereafter make to it, is to be kept together, and is to be called The Parkman Collection.

I shall have the right of taking any part of it from the Library for consultation, the same to be returned when its purpose is answered.

Respectfully yours,

FRANCIS PARKMAN.

BOSTON, Jan. 8, 1885.

*List of Manuscripts given to the Massachusetts Historical Society by Francis Parkman, Jan. 8, 1885.*

A collection marked CANADA, 1674-1712 . . . . .	8 vols.
A collection marked NEW FRANCE, 1741-1761 . . . . .	12 "
Contents of the last-named collection, unbound.	
Copies from the Bouquet and Haldimand Papers, 1756-1761 . . .	1 "
Copies from the Public Record Office, 1753-1760 . . . . .	4 "
Letters of Lieutenant-Governor Dinwiddie, 1751-1755 . . . . .	5 "
Letters of Montcalm to his Family, 1756-1759 . . . . .	1 "
Letters of Montcalm to Bourlamaque, 1756-1759 . . . . .	1 "

Letters of Vaudreuil and others to Bourlamaque . . . . .	1 vol.
Copies from the Archives Nationales, 1666-1759 . . . . .	1 "
Histoire de Montreal, par Dollier de Casson, 1640-1672 . . . . .	1 "
Letters of Washington to Colonel Bouquet, 1758, unbound.	
Supplement to Papers from Public Record Office, "	
Thirty-five volumes and three unbound sets of papers.	

All of the above papers are copies from the original documents, and, with a few exceptions, they have never been printed.

The collection in eight volumes, marked CANADA, was made in 1872 and 1873, and consists of copies of original documents in the various archives of Paris, chiefly those of the Marine and Colonies.

The collection in twelve volumes, marked NEW FRANCE, was begun in 1874, and consists of documents of later date than the former, drawn from the same sources. Both of these collections are, in the main, additional and supplementary to the Paris Documents copied under the direction of Mr. Brodhead for the State of New York. The Brodhead collection was made with reference to the history of that State, while the two collections just mentioned were made with reference to the history of Canada and its dependencies.

The selections of papers from the Public Record Office at London, forming four volumes, were made in 1880 and 1881.

The selections from the Bouquet and Haldimand Papers in the British Museum were made in 1880.

The letters of Lieutenant-Governor Dinwiddie, in five volumes, were copied in the same year, at London, from Dinwiddie's letter-books. Most of these have since been printed.

The letters written by Montcalm, when in America, to his wife and mother, were copied in 1869 from the autographs in the possession of his great-grandson, the present Marquis of Montcalm.

The letters of Montcalm to Bourlamaque were copied from the autographs in the possession of the heirs of the late Sir Thomas Phillips. I had known of the existence of these letters for about fifteen years, but could not succeed in discovering them till the summer of 1880.

The letters of Vaudreuil, Lévis, and others to Bourlamaque were copied at the same time from autographs also in the hands of the heirs of Sir Thomas Phillips.

The collection of papers from the Archives Nationales at Paris was made about ten years ago.

The History of Montreal by Dollier de Casson was copied from the original manuscript at the Mazarin Library, at Paris.

The letters of Washington to Colonel Bouquet were copied in 1880 from the autographs in the Bouquet Collection, British Museum (vol. 21,641, *Additional Manuscripts*). Several of these letters have been printed by Dr. Sparks with considerable variations, probably due to his

having taken them from Washington's letter-books, without having seen the original draughts.

The various collections mentioned above form a part of the series of manuscripts collected by me since the year 1845 to illustrate the history of the French on this continent.

F. PARKMAN.

JAN. 8, 1885.

Mr. PARKMAN, by request, then made some interesting remarks in regard to these volumes; and when he had finished, Dr. ELLIS said that something more than a customary vote of thanks was due from the Society for this important and valuable gift; and accordingly it was voted that a committee, consisting of Dr. Ellis, Mr. Winsor, and Dr. Green, be appointed to report and make suitable acknowledgment to the donor.

Dr. ELLIS presented eight volumes and an atlas of stars, containing the results of the labors of nearly thirteen years by Dr. Benjamin Apthorp Gould in the National Observatory of the Argentine Republic.

Mr. ROBERT C. WINTHROP, Jr., communicated the following paper which his father had prepared for the preceding meeting:—

During the late visit to New York, which, much to my regret, cost me the satisfaction of being present at our last meeting, I spent an hour at the Metropolitan Museum in Central Park, in looking at the interesting pictures of the eminent English artist, George Frederic Watts, which have been brought over from London for exhibition. I do not pretend to be a judge of his allegorical and mythical pictures, of which there are many in most glowing and gorgeous coloring. But I cannot forbear from advising every one to pay a visit to the portraits; and I should hope that our Museum of Art might obtain them for exhibition in Boston, and save us all the trouble of a journey to New York. The portraits are certainly of a very high order, and are of the most distinguished men of the time,—such as Cardinal Manning and the late Lord Lawrence, Tennyson and Browning, Carlyle and Stuart Mill, the Duke of Argyll and the Marquis of Salisbury, Swinburne and Burne Jones, not forgetting our own Motley as a young man of

twenty-five. Watts's great portrait of Gladstone, which I had the good fortune to see in London, was regarded as too precious to be exposed to the perils of an ocean voyage. I recall, too, his marvellous portrait of Dean Milman which is not at New York. But the portraits which are there are full of interest, both from their subjects and as works of art; and I should be sorry to think that they would not find their way to Boston for exhibition.

Since my return home I have received an appeal from the Art Committee of the Union League Club of New York, on the subject of the present tariff on all foreign works of art. It was accompanied by a petition to Congress that the duties might be restored to their old rate, or abolished altogether; and I was requested to obtain authority for signing it in behalf of this Society. But while I sympathize generally in the views of this petition, I can hardly regard it as a matter for our consideration or action, and I do not propose to make it an exception to my rule by signing it personally. But I lay the papers on the table for the signatures of any members who may be disposed to examine or sign such a petition.

Many months ago, there was kindly sent to me a copy of an article in the "New York Independent," written by our accomplished Corresponding Member, Dr. Benson J. Lossing, on the subject of celebrating the fourth centennial of the discovery of America. The date of that discovery by Columbus is given by Mr. Lossing as the 12th of October, 1492. There are thus somewhat more than seven years to elapse before the fourth centennial will occur. But it seems that consultations have already been held, both in Spain and in our own land, as to the mode and as to the place in which that supreme historical event shall be commemorated. The article of Mr. Lossing gives an interesting account of the views which have already been expressed by King Alphonso and some of his ministers, by the Duke of Veragua, who represents the family of Columbus, and by Emilio Castelar, the eminent orator and republican statesman of Spain. They all think that the celebration should be in Spain. Mr. Lossing, on the other hand, claims that New York, as "the acknowledged commercial metropolis of the New World," is the most appropriate place for a grand international celebration; and I heartily concur with him.



But a celebration at New York, however grand, is not all that is due to Columbus from America. His memory, with that of his great compeers, has been too long neglected in our large cities. No adequate memorial of the discoverer of the New World is to be found anywhere on this continent. In a lecture delivered before this Society on my return from Europe, in 1869, I ventured to call attention to this omission, as follows:—

“A noble monument to Columbus, recently finished, surmounted by a striking statue of him, and adorned by a series of bas-reliefs illustrating the strange, eventful history of his life,—from which, I need hardly say, the discovery of America was not wholly omitted,—greeted us at the gates of Genoa, with the simple inscription in Italian, ‘To Christopher Columbus, from his Country;’ and as I gazed upon it with admiration, I could not help feeling that it was not there alone that a monument and a statue were due to his memory, but that upon the shores of our own hemisphere, too, there ought to be some worthy memorial of the discoverer of the New World.”

More recently, in the Centennial Oration which I delivered at the call of the Mayor and City Council of Boston, on the 4th of July, 1876, I used the following language: “From the hour when Columbus and his compeers discovered our continent, its ultimate political destiny was fixed. At the very gateway of the Pantheon of American liberty and American independence might well be seen a triple monument,—like that to the old inventors of printing at Frankfort,—including Columbus and Americus Vesputius and Cabot. They were the pioneers in the march to Independence. They were the precursors in the only progress of freedom which was to have no backward steps. Liberty had struggled long and bravely in other ages and in other lands. It had made glorious manifestations of its power and promise in Athens and in Rome, in the mediæval republics of Italy, on the plains of Germany, along the dykes of Holland, among the icy fastnesses of Switzerland, and, more securely and hopefully still, in the sea-girt isle of Old England. But it was the glory of those heroic old navigators to reveal a standing-place for it at last, where its lever could find a secure fulcrum and rest safely until it had moved the world!”

For the execution of such a triple monument, including the statues of Columbus, Americus Vespucius, and Sebastian Cabot, not one of our accomplished artists, at home or abroad, would find the seven intervening years too long a time. Portraits of all three of the great discoverers are to be found in the galleries abroad, or copies of them in our own galleries. I believe that the original of Sebastian Cabot was destroyed by some accident; but there is a careful copy of it on our own stairway, and another in the gallery of the Historical Society of New York. Copley Square would be a most eligible place for such a monument, if it is not previously appropriated; and its surroundings, including the new Public Library and the Museum of Art, would be in excellent keeping with it.

I cannot but wish that the Museum of Art, with our own Society and the American Antiquarian Society, would take this memorial seriously and seasonably in hand; and I cannot doubt that contributions to cover the cost could be obtained from time to time before the money is needed.

But I content myself with renewing the suggestion, in the hope that it may attract the interest of others before it is too late.

Before concluding these introductory remarks, I present to the Library, in behalf of Miss Mary Fraser Curtis, a pamphlet which came to her from her grandfather, the late Hon. Daniel Sargent. It contains the well-remembered correspondence between the late John Quincy Adams and several citizens of Massachusetts of the old Federal party, of which Mr. Sargent was one, concerning the charge of a design to dissolve the Union, alleged to have existed in this State. There is a copy of this pamphlet in our Library already; and the contents of it are included, with much additional and illustrative matter, in the volume entitled "New England Federalism," published by Mr. Henry Adams in 1877. But this copy has an interest and a value as having the autograph signatures of all the gentlemen who signed the paper, — Harrison Gray Otis, Israel Thorndike, Thomas H. Perkins, William Prescott, Daniel Sargent, John Lowell, William Sullivan, Charles Jackson, Warren Dutton, Benjamin Pickman, Henry Cabot, son of George Cabot, Charles C. Parsons, son of Theophilus Parsons, and Franklin Dexter, son of Samuel Dexter. Thirteen more notable autograph signatures could hardly be found together anywhere, and the

pamphlet may well find a place among the specialties of our collection.

In turning over the leaves of this pamphlet, in which it had probably been used as a mark, I found a little remembrancer of a later day, — one of the votes of the old Whig party in 1836, with the electors of President headed by Nathaniel Silsbee, with Edward Everett for Governor, and with a list of no less than seventy-four candidates for the General Court of Massachusetts. My own name stands third on the list, and I think there are only three or four others living of the whole seventy-four. This old vote may well accompany the pamphlet in which I found it.

Our grateful acknowledgments will be returned to Miss Curtis for this gift.

Judge CHAMBERLAIN made some observations respecting Samuel Maverick's palisade house of 1630, referred to in the Maverick Manuscript, recently discovered in the British Museum, and said: —

It has been generally supposed that Samuel Maverick, assisted by David Thompson, who gave his name to an island in Boston Bay, some time before 1628 erected on Noddle's Island a house protected by palisades and fortified by guns; and that it was in this house that Governor Winthrop and his party were entertained by Maverick when they first came to Boston Harbor from Salem, June 17, 1630.

The sole authority for the erection of such a house on Noddle's Island, and for its existence when Winthrop arrived, is Edward Johnson, in Chap. XVII. of his "Wonder-Working Providence." There being nothing improbable in his account, it has been followed without question by Prince, Hutchinson, Savage, Young, Drake, Frothingham, and many others. But there are facts which seem to be inconsistent with Johnson's statement, though no one of them, nor perhaps all of them combined, is sufficient to overthrow it. Lately, however, additional evidence has come to light, and I now propose to state the whole case. Johnson's narrative is as follows: —

"But to go on with the story, the 12 of July or thereabout 1630, the soldiers of Christ first set foot on this Western end of the World; where arriving in safety, both men, women and children. On the North side

of the Charles River, they landed near a small island, called Noddell's Island, where one Mr. Samuel Maverick then living, a man of a very loving and courteous behavior, very ready to entertain strangers, yet an enemy to the Reformation in hand, being strong for the lordly prelatical power, on this island, he had built a small Fort with the help of one Mr. David Thompson, placing therein four Murderers to protect him from the Indians. About one mile distant upon the River ran a small creek, taking its name from Major Gen. Edward Gibbons, who dwelt there for some years after. On the South side of the River on a point of land called Blackstone's point, planted Mr. William Blackstone, of whom we have formerly spoken. To the southeast of him, near an island called Thompson's Island lived some few planters more. These persons were the first planters of those parts, having some small trading with the Indians for beaver skins, which moved them to make their abode in those parts whom these first troops of Christ's army found as fit helps to further their work."

This account of the coming of Winthrop's fleet, and of the topography of Boston and its vicinity, as well as of the persons he found there, is so incomplete and inaccurate that it raises at once a question as to the authority of Johnson's book on matters apart from his chief purpose, — the history of the planting of churches in New England, — or only incidental thereto. It was written between 1647 and 1651, and published in London in 1654. Savage's opinion of it as authority may be gathered from his notes to Winthrop's Journal, vol. i. pp. 8, 100, 112. I have looked through its pages, though not exhaustively, and have noticed some errors not creditable to a historian who came in 1630, and was engaged in public affairs during his subsequent life. In Chap. VII. he misdescribes the bounds of the colony, and the reservation of mines to the king. In Chap. XVII. he errs by a month as to the date of Winthrop's arrival, and in Chap. XXV. by more than a year as to the death of Sagamore John and his people by small-pox. In Chap. XVII. he tells us that the first court was held on board the "Arbella," which possibly may have been, though Savage doubts it; and that Winthrop and others were chosen officers for the remainder of the year 1630, — a fact nowhere else mentioned, and contradicted negatively by the absence of any such statement in the place of all others where it would be looked for, the official records of the transactions of that court. In the same chapter he asserts that in 1630 about one hundred

and ten persons were admitted freemen. The record says that in October of that year about the same number expressed a desire to be so admitted, but that their request was not granted until May of the next year.

If Johnson were our sole authority respecting the voyage of Winthrop's fleet, his reader could confidently assert that after leaving Yarmouth in the Isle of Wight it came directly into Boston Harbor, and the company first landed about July 12, instead of disembarking at Salem on the 12th of June.

And if we attempt to construct the topography of Boston and its vicinity according to Johnson's description of it, we have one river, the Charles, instead of two, the other being the Mystic; and into the Charles runs Gibbons's Creek, on which he resided many years. On the south side of the river, and opposite to Gibbons's plantation, we should look for Blackstone's Point in Boston. The utter confusion of Johnson's topography is apparent when we place Gibbons where he actually resided, up Mystic River, in the "Charlestown Fields," now Everett, and where his creek runs to this day.<sup>1</sup> Johnson's account, quoted above, was written more than fifteen years after the time to which it relates; and its untrustworthiness is more clearly manifest when compared with Dudley's narrative covering the same period, addressed to the Countess of Lincoln; and its misleading character appears by observing that even the careful and accurate Young, following Johnson, makes Gibbons's Creek tributary to the Charles.<sup>2</sup>

In like manner he gives us an incomplete account of the old planters. He names Maverick, Gibbons, Blackstone, and Thompson, but says nothing of those found at Winnisimmet as early as 1626, nor of Walford and his palisadoed house at Charlestown, nor of the Spragues and the remnant of the hundred planters who, Higginson says, were there in 1629.<sup>3</sup>

A writer of this description can hardly be deemed an authority on any controverted point; and yet he is the sole authority, so far as I have observed, that places any residence whatsoever on Noddle's Island before 1635.

I now bring together those facts which lead me to believe

<sup>1</sup> Memorial History of Boston, vol. ii. p. 387; Third Report of the Record Commissioners, *passim*; Frothingham's History of Charlestown, pp. 59, 80.

<sup>2</sup> Chronicles of Massachusetts, pp. 312, 384 note.

<sup>3</sup> Frothingham's History of Charlestown, pp. 18, 19.

that Samuel Maverick's fortified house was at Winnisimmet, and not at Noddle's Island, as is asserted by Johnson; and that it was at Winnisimmet he entertained Winthrop and his party, June 17, on his first visit to Boston Bay.

In the first place, Samuel Maverick and John Blackleach, joint-owners of that part of Winnisimmet which does not now belong to the United States, sold the same to Richard Bellingham, Feb. 27, 1635, as appears from "Suffolk Deeds," lib. i. fol. 15, the fuller bounds of which will be found in the "Second Report of the Record Commissioners," p. 57. That part now owned by the United States Maverick seems to have owned exclusively, as some years later he sold a portion of it to William Stitson. And inasmuch as there is no evidence of any conveyance or allotment of that plantation to them or to any other party, the presumption is that before the coming of Winthrop they had acquired a title to it, which was respected by the new government.

In the second place, Samuel Maverick had a house at Winnisimmet as early as Aug. 16, 1631, a little more than a year after he entertained Winthrop. This is clear from the following record:—

"August 16, 1631. It is ordered, that Mr. Shepheard and Robert Coles shall be fined five marks apiece, and Edward Gibbons twenty shillings for abusing themselves disorderly with drinking too much strong drink aboard the Friendship, and at Mr. Maverick his house at Winnisimmet."<sup>1</sup>

He was living there in December, 1633.

"John Sagamore died of the small pox, and almost all his people; above thirty buried by Mr. Maverick of Winnisimmet in one day, . . . Among others, Mr. Maverick of Winnisimmet is worthy of perpetual remembrance. Himself, his wife and servants, went daily to them, ministered to their necessities, and buried their dead, and took away many of their children."<sup>2</sup>

Who was "Mr. Maverick of Winnisimmet"? Besides the Rev. John Maverick, of Dorchester, there were three men of the name of Maverick,—Samuel, Elias, and Moses, who were admitted freemen, respectively, in 1632, 1633, and 1634. Samuel

<sup>1</sup> Mass. Col. Rec., vol. i. p. 90.

<sup>2</sup> Savage's Winthrop's Journal, vol. i. pp. 142, 143.



and Elias, it is almost certain, were brothers; and both lived at Winnisimmet, and on the same estate, — now the property of the United States. But there was only one “Mr. Maverick,” and he was Mr. Samuel Maverick. In saying this, I exclude the Rev. Mr. John Maverick, of Dorchester.

Uniformly and without exception, both in the Colony Records and in Winthrop’s Journal, Samuel Maverick is called “Mr. Maverick;” nor is Elias or Moses ever so called until a much later period. At that time “Mr.” was not only a mark of rank, but of seniority as well; it was an absolute, as well as a relative term.

There being, therefore, only one “Mr. Maverick,” let us assume for a moment that he lived on Noddle’s Island instead of at Winnisimmet, and then consider the likelihood of “himself, his wife and his servants going daily” in a skiff over the half-frozen bay between Noddle’s Island and Winnisimmet in December weather to minister to the dying Indians.

We are absolutely certain that there was a house at Winnisimmet in 1631; and there are some reasons which indicate that neither at that time nor for some time after was there any residence at Noddle’s Island. If Maverick had a fortified house at Noddle’s Island in 1630, as Johnson asserts, it must have been well known to all people, certainly to Winthrop and the members of his family; and yet within six months after Maverick is thought to have entertained the Governor there, “three of his servants coming in a shallop from Mistic, — Dec. 24, 1630, — were driven upon Noddle’s Island, and forced to stay there all that night, without fire or food.”<sup>1</sup> The reader is ready to ask why they did not seek shelter and food in the hospitable house of Samuel Maverick.

If Maverick before 1630 had built a house on Noddle’s Island, under a claim of right, and was living there in April, 1632, the order of the General Court of that date is at least singular. Why should he be excluded, on his own estate, from “shooting at fowls,” or from taking them with nets, and the exclusive privilege of those acts be given to one John Perkins?<sup>2</sup>

As we have seen, Maverick had a house at Winnisimmet as early as August, 1631. In the previous October, within four

<sup>1</sup> Winthrop’s Journal, vol. i. p. 47.

<sup>2</sup> Mass. Col. Rec., vol. i. p. 96.

months after Winthrop's visit, he, Dudley, and Maverick sent out a pinnace to Narragansett for corn for the colonists; and the next year they went as far as Virginia on the same business; and on the return of the bark, "she came to Winysemett."<sup>1</sup> Why should she go to Winnisimmet instead of Noddle's Island, if Maverick's residence was there?

It is significant that though Wood's map, made not later than 1634, and the newly discovered Winthrop map of about the same date, both indicate a settlement at Winnisimmet, neither of them affords the slightest indication of any residence on Noddle's Island, which on the latter is represented as covered by forests. Nor does Wood, in his text, say more of Noddle's Island than to class it with Long, Round, Slate, Glass, and Bird Islands, which abound with woods, water, and meadow ground where the inhabitants pasture their cattle; but he states "that the last town in the still bay is Winnisimmet, a very sweet place for situation, and stands very commodiously, being fit to entertaine more planters than are yet seated."<sup>2</sup>

I have said that aside from Johnson there is absolutely no authority for saying that Maverick, or any one else, had a house on Noddle's Island in 1630. There are reasons for conjecture that such was the case until some time in 1634. Maverick sold part of his Winnisimmet estate to Bellingham in 1635, but he still had one hundred and fifteen acres left, now the United States Hospital grounds; and, as I conjecture, and as Wood's plan seems to indicate, his house was on that part. He acquired title to Noddle's Island in April, 1633, but, as we have seen, was at Winnisimmet as late as December of that year. He may have built on Noddle's Island in 1634. That is probable from the following facts: In July, 1637, Sir Harry Vane and Lord Ley dined with Maverick at Noddle's Island. He doubtless had a house there at that date. From May, 1635, to May, 1636, he was in Virginia; and that his house was built before he took that journey may be inferred from the fact that his wife, writing to Trelawny, dated her letter from "Nottell's Iland in Massachusetts Bay, the 20th November, 1635." Unless he built in the winter before going to Virginia, we are thrown back into the year 1634. And that it

<sup>1</sup> Winthrop's Journal, vol. i. p. 86: Dudley to the Countess of Lincoln.

<sup>2</sup> New England's Prospect, Prince Soc. ed., p. 44.

was not built earlier than that date is probable from the circumstance, already stated, that he was living at Winnisimmet in December, 1633.

But it is scarcely worth while to pursue the question further, when we have evidence which is clear and conclusive. The following extract from the newly found Maverick Manuscript<sup>1</sup> settles the question:—

"*Winnisime*.—Two miles Sowth from Rumney Marsh on the North side of Mistick River is Winnisime which though but a few houses on it, yet deserves to be mençond. One house yet standing there which is the Antientest house in the Massachusetts Government. a house which in the yeare 1625 I fortified with a Pillizado and flankers and gunnes both belowe and above in them which awed the Indians who at that time had a mind to Cutt off the English. They once faced it but receiueing a repulse never attempted it more although (as now they confesse) they repented it when about 2 yeares after they saw so many English come over."

There is no ambiguity in the above statement. The house was fortified in 1625. Was it built then, or in 1623, when Thompson may have been in the Bay? If Maverick's statement, made May 30, 1669, that "it is forty-five years since I came into New England," is to be taken strictly, he was not in the country before May 30, 1624; but neither this nor his other assertion, that "I have been here from the very first settling of New England by the English,"<sup>2</sup> should be construed with literal exactness. Nor do I think we are to understand him as saying that temporary structures, such as must have sheltered the settlers at Wessagusset, were not erected before his palisade house at Winnisimmet. On the principal fact—that not later than 1625 he erected at Winnisimmet the first permanent house in the Bay Colony, and that the same was standing as late as 1660—I think we may safely rest. Maverick could not have been mistaken in respect to anything so important in his personal history, nor had he any reason for misstating it. He certainly knew the facts of his own life better than Johnson, on whose sole authority all opposing statements are based. And Johnson's statement in regard to this matter, as well as to many other matters which may be supposed to have fallen under his observation, is coupled with

<sup>1</sup> *Ante*, p. 236.

<sup>2</sup> *Mass. Hist. Coll.* vol. xxxvii. pp. 317, 318.

assertions which we know to be untrustworthy. The historian of East Boston has discussed the question, Who was Mr. Maverick, of Winnisimmet? with considerable ingenuity; but the authority for his main assumption had not then been discredited by the Maverick Manuscript, nor does his discussion include the facts essential to the determination of the question.

Dr. ELLIS alluded to the recent death of the Rev. Dr. Blagden, who, having moved to New York, had been transferred from the roll of Resident Members to the Corresponding Roll.

Dr. PEABODY spoke warmly of the character of Dr. Blagden, having known him intimately for more than twenty years. At one time he was regarded as second to no one of his denomination in this region as a preacher. He was distinguished for soundness of thought, maturity of mind and judgment, and a comprehensive charity which was as large as the Church of Christ. There was wanting in him the sensational element which now is almost essential for a popular preacher. His professional services were prized; and some of his utterances, particularly in eulogy of those who had a kindred spirit to his own, were eloquent. He has left no memories but those of reverence and affection.

Dr. PAIGE followed in a similar strain, saying that for forty years they had both been members of this Society, and that he had always regarded Dr. Blagden as one of his special friends, and sincerely regretted his removal to New York.

A new serial, including the Proceedings for October and November, was laid on the table by the Secretary at this meeting.

## FEBRUARY MEETING, 1885.

The regular meeting was held on Thursday, the 12th instant; and in the absence of the President, it was called to order by Dr. ELLIS.

The record of the last meeting, read by the Secretary, was approved.

The accessions by gift to the Library during the past month were reported by the Librarian.

The Corresponding Secretary read a letter from Mr. Deane, who was unable to be present, in which he announced that a new volume of Trumbull Papers was now ready for distribution, and also that he had prepared memoirs of the late Richard Frothingham and the late Samuel F. Haven.

Dr. ELLIS then spoke of the Rev. William Barry, D.D., recently deceased, who was a Corresponding Member, and the founder of the Chicago Historical Society.

Mr. C. C. SMITH moved that the thanks of the Society be presented to the Committee for Publishing the Trumbull Papers, and that they be requested to consider the expediency of preparing a second volume. The motion was adopted.

Dr. OLIVER WENDELL HOLMES presented, in the name of his daughter, Mrs. Turner Sargent, Bellin's "Maritime Atlas of Maps and Plans," in five volumes, the first of which relates to North America and the West India Islands; the "Military History of Prince Eugene and the Duke of Marlborough," in two folio volumes; and Napier's "Peninsular War," in five volumes. The thanks of the Society were voted for this gift.

Dr. ELLIS read a note from Mr. Samuel H. Russell, enclosing from Captain Nathaniel Spooner, of Boston, the following letter, written by his grandfather, describing the naval battle between the "Chesapeake" and the "Shannon" on June 1, 1813:—

Boston June 2<sup>nd</sup> 1813.

SON NATH<sup>l</sup>, — This is to give you information of the capture of the U. States Frigate Chesapeake. Circumstances respecting it [were] as follows, viz, Yesterday morning a British Friggatt Supposed the Shannon

was seen off about 4 leagues to the North<sup>d</sup> & East<sup>d</sup> of the Light; at 12 merd<sup>n</sup> the Chespe<sup>k</sup> was under way with a pleasant breeze from the west<sup>d</sup>. I happened to discover this from the State house and as I had a desire to see something of the transaction, & accordingly I proceeded down to India Street wharf, where we arrived in time to get on board a packett Sloop, which was just going off, on board of which were about 30 persons, & Tilley the Pilot commanded. We passed down the harbour and went out near Point Shirly or *pudding point*. When off the Graves the Chespe<sup>k</sup> was abreast of us about a mile distant, the B. Frig<sup>t</sup> about 5 leagues to the North<sup>d</sup> & East<sup>d</sup>. The Chespe<sup>k</sup> sat all Sails except lower Steering Sails; the B. Frig<sup>t</sup> was running to the East & South<sup>d</sup> with Top G. sails &c. We followed with all dispatch, our Sloop sailing very well. At 4 P. m. the B. Frig<sup>t</sup> was about 5 Leagues from us and the Chespe<sup>k</sup> after her, about 2 Leagues. We then expected the B. Frig<sup>t</sup> would not be brought to action, but the Chespe<sup>k</sup> fired a gun and hoisted a white flagg at her M. Top Galt. Royal Mast head with the motto, *Free Trade & Sailors rights* [and] the American Ensign at her Mizen Peake. About 15 minutes after this the B. Frig<sup>t</sup> lay her main and mizen Topsail to the mast waiting for the Chesepeake who stood directly for her. At 6 P. m. the Action commenced, the wind being from the South<sup>d</sup>, and a good leading Breeze. The Chespe<sup>k</sup> was to the Windward & a heavy fire commenced which continued about 10 or 12 minutes and, as far as we could discover, the Ships were sometimes connecting, after which the firing of Cannon ceas<sup>d</sup> and the Friggatts fell from each other some little distance, and lay with their Main & Mizen Topsails to the mast with their coulours flying as usual. They continued in this Situation about 20 minutes, during which time we expected they were preparing to recommence the cannonading, but to our Surprise we saw the white flag of the Chesepeake & the Amer<sup>n</sup> colours from the Mizen Peak hauled down, & an English Ensign hoisted at the Mizen Peak with the American under it; this was about 40 minutes after Six and we were then about 5 miles from them. At 20 minutes after 7, after a number of Boats had pas<sup>d</sup> from Ship to Ship, they both Squaird their after yards and stood to the East<sup>d</sup>. We then wore ship, & stood for Boston *light*, being then distant from it about 12 or 14 Leagues, Cape Ann Bearing as was judg<sup>d</sup>, about N. W. by W. Thus you have the particulars of what I believe has been a very severe action and remarkably short; for the time of the firing of the first Shott untill they both bore away as I presume for *Hallifax*, was one hour and 20 minutes, being 20 minutes past 7 P. M.

Many are the oppinions of People here respecting the manner in which this action was conducted. My own oppinion is, that immediately after the first Broadside the Chesepeake boarded the B. Frig<sup>t</sup>; that the B. F. was too powerfull for her, and put a number of men



on b<sup>d</sup> the Chesep<sup>k</sup>, when they fought Close quarters untill the Flag was shifted, as before described, which was 20 minutes. The reason for my opinion is this, that they would have recommenced their cannonade or the Colours of the Chesepeak would have been shifted, neither of which did occur for 20 minutes, the Ships lying with their Top<sup>a</sup> & main . . . to the mast a small distance from each other, the Chesepeake being to windward, nor was there any more Cannon fired. If my conjecture was right it must have been a most Sanguinary Scene and no doubt many very valuable lives lost. I had a good opportunity to observe them as we had a good Spy Glass on b<sup>d</sup> and the weather was very fine. The Chesep<sup>k</sup> nor the British F. did not appear to be injured in either their spars or riggen except the flying Jibb Boom of the B. F. which was broken.

We returned this day at 12 Merd<sup>a</sup>, having had no sleep since night before last. Of course I hope to rest well this night.

John is very well and I hope will like his plans. My love to all, your mama in particular. Shall write you again soon.

Am yr. aff. father

N. SPOONER.

Cap<sup>tn</sup> NATHL SPOONER Jr.  
Plymouth.

Admiral PREBLE pointed out, on a Coast Survey chart of Massachusetts Bay, where the battle was fought, and then continued as follows: —

Mr. Spooner's letter, written the day after the battle between the "Chesapeake" and the "Shannon," is valuable as the account of an outside observer, only five miles distant, describing what he saw, and confirming much that is narrated in the official reports and by those who were actors in the battle, particularly in respect to the position where the battle was fought; a very general and erroneous opinion having grown up that the battle was fought off Marblehead or within sight of Boston, and that it was seen from Boston. One gentleman — I will not call him old, for no one is, or wishes to be, old until he dies — has assured me that as a schoolboy he saw the fight from Milton Hills, and that it took place inside of Boston Light. I asked him if he would not believe the statements of those who shared in the action. He said no; he preferred his eyesight to their statements, which, however, he would no longer contend against. The probability is that he saw the gun of defiance or notice which the "Chesapeake" fired soon after

she got under way; as he said to me, the battle was fought soon after noon.

An old salt still living in Boston, Benjamin Trefethen, then a young man of twenty-three years, who was on board the "Chesapeake" and stationed at a gun on the spar deck, says, in a printed broadside, dated Boston, Oct. 22, 1881: "When in the offing near Marblehead, between two and three o'clock P. M., as near as I can recollect, the action commenced, . . . and the engagement lasted not more than three quarters of an hour." This only shows how unreliable are the recollections of a sailor participant sixty-eight years after, and how valuable become the records and impressions put down while everything is fresh and vivid in the memory.

Now, the facts are these, as to the time, period, and place of the engagement: Sailing-Master Knox, who piloted the "Chesapeake" out of Boston Harbor, reported the next day to the Commandant of the Boston Navy Yard, and said "that he left her at 5 P. M., Boston Light bearing about west six leagues" (eighteen nautical miles). Plotting this course and distance on a Coast Survey chart of the Bay, I find she was then about the same distance from Marblehead, and directly abreast of, and about thirteen miles distant from, Scituate Harbor, the nearest land. Mr. Knox further states that the action commenced about 6 P. M., within about eleven leagues, or thirty-three nautical miles, from the Boston Light. Mr. Spooner's letter confirms this statement, except that he estimates the distance at from twelve to fourteen leagues, or from thirty-six to forty-two nautical miles. An express from Weymouth to Mr. Russell of the "Columbian Centinel" states that "at 50 minutes past 5 P. M. the Chesapeake closed with a British Frigate, and that they were warm at it enveloped in fire and smoke 15 min. past 6 P. M." Lieutenant Budd in his official report states that "the action commenced  $\frac{1}{2}$  before six within pistol shot." Captain Broke in his official report says, "At half past five the enemy hauled up within hail of us." Another account, published in the "Centinel" the day after the fight, says, "The Shannon stood to the S<sup>d</sup> and E<sup>d</sup> and continued on that course until she disappeared from sight in town about 4 o'clock. The Chesapeake also disappeared about  $\frac{1}{2}$  past five still standing to the Eastward,"—showing that the engagement could not be seen from Boston.

Still another Boston paper, of June 4, says: "Spectators were collected on every place in Boston which commanded a view of the sea, but the frigates proceeded to the Eastward until lost to sight from the town, and our citizens on shore were thereby spared the distress of witnessing the result, a pain which those had to encounter who were spectators of the conflict in boats and vessels." Then follows an account of the action derived from these spectators, which it is unnecessary to repeat here. Thus the place of the action and the time of the engagement, allowing for a difference in watches, are pretty well defined. After the action, about sundown, the killed were committed to what Paul Jones, after a similar fight, designated as "a spacious grave," and both vessels proceeded to Halifax.

Captain Lawrence has been censured for going out with his young and inexperienced officers and newly collected crew to meet the "Shannon," but as a brave man and officer I do not see how he could have done otherwise. He was under orders to sail immediately; and the presence of an enemy of equal force should not, as it did not, prevent his sailing to meet her. Had he delayed going out, he would have been censured by the Navy Department and the people, and would probably have been relieved of his command. It has also been stated that Lawrence "got up from the dinner-table flushed with wine, and rushed out to this encounter," when nothing could be more untrue. His ship was unmoored and prepared for sea at 8 A. M., and at meridian was got under way, and proceeded to sea to meet the "Shannon," — rather early for an after-dinner hour.

People anxious to find some reason for the unexpected capture of our ship, which so many went out in boats to see victorious, invented all sorts of causes. Lawrence's mistake seems to have been, under the circumstances, in engaging his enemy to windward, according to the rule which was laid down by the writers on naval tactics at that time, and which in a previous action had resulted in his victory in the "Hornet" over the "Peacock" in the same brief space of time as the "Chesapeake" was captured. Captain Broke thought the "Chesapeake" would pass under the "Shannon's" stern, and engage her upon the port or lee side, and therefore directed his men to lie down flat as she passed, to avoid in some degree

her raking fire. Had Captain Lawrence done so, the fate of the action might have been different. Sir Howard Douglas, a good authority, says: "This is an obvious advantage, which, as Sir P. Broke admits, the 'Chesapeake' might have availed of; and it is one which, had it been taken, would most probably have gained some previous advantage." In consequence of engaging to windward, the "Shannon's" sails were becalmed, and the "Chesapeake" shot ahead, and was raked by, instead of raking, her opponent; and the "Shannon's" first broadside and the "Chesapeake's" subsequent falling on board of the "Shannon" enabled her to be boarded, when, every officer on deck being either killed or wounded, her fate was decided.

Communications from the Third Section having been called for, Mr. R. C. WINTHROP, Jr., presented an unpublished letter of Chief Justice Sewall, and nineteen letters of Katharine, widow of Wait Winthrop, a lady who lies buried just beneath the Society's windows, and who figures prominently in Sewall's Diary as one of the numerous objects of his unsuccessful attachment. In this connection Mr. Winthrop alluded to the recently printed and very interesting Address on the Life and Character of Chief Justice Sewall, delivered by Dr. George E. Ellis at the Old South Church on the 26th of October last, certain passages of which, he maintained, did injustice to the above-named lady, and were inconsistent with Sewall's own account of her. Mr. Winthrop paid a warm tribute to her pious and unselfish nature, and protested against any contrary impressions of it which might be wrung from the peevish chatter of a discarded septuagenarian suitor.

Mr. QUINCY read several verses of a song written for the supper of the Freshman Class of Harvard College at the close of the college year 1818, by Ralph Waldo Emerson, prefacing them with some remarks and reminiscences of his own.

Mr. A. A. LAWRENCE presented some original manuscripts in reference to John Brown, mostly written by G. W. Brown, who established the first printing press in Kansas; Charles Robinson, the first Governor elected by the people; Colonel Blood and Captain Walker, who had lived in the State thirty

years. These persons were fully cognizant of all the facts relating to the settlement of Kansas, and they suffered in their persons and property. They have written independently, and their statements will be hereafter of great value to the historian.

Mr. SLAFTER communicated a memoir of the late Charles W. Tuttle.

## MEMOIR

OF THE

HON. RICHARD FROTHINGHAM, LL.D.

BY CHARLES DEANE.

THE subject of this notice was born in Charlestown, Massachusetts, Jan. 31, 1812. His father and his grandfather each bore the name of Richard. The latter served as an officer through the Revolutionary War. His mother was Mary Thompson, daughter of Timothy Thompson, and sister of the late Dr. Abraham Rand Thompson and the Hon. Benjamin Thompson, all of Charlestown. The record of the Frothingham family in Charlestown is of the highest respectability, from the time when William, the common ancestor, who probably came over in 1630 in the fleet with Governor Winthrop, settled there.

The house in which Richard Frothingham was born and spent the period of his boyhood was in Eden Street, on land originally granted to William Frothingham, the first emigrant, who died in 1651, and in whose family it remained until it was purchased in 1867 by the Winchester Home for Aged Women. He first attended a school kept by Polly Frothingham in Main Street. He then went to the public school on the Neck; and, lastly, he attended Master Andrews's Academy in Cordis Street. He early developed a taste for reading, and began to collect books. From money earned by writing for a Mr. Doane in his Brush Factory, he bought an encyclopædia. At eighteen years of age he was clerk with a merchant on Long Wharf, in Boston, and in January, 1833, he entered the employ of John Doggett & Co., the well-known dealers in carpets and furniture, in Cornhill. In April, 1834, at the earnest wish of the late Caleb Eddy, he entered the office of the Middlesex Canal Company, where he remained many years as



clerk, agent, and treasurer, and until the affairs of that corporation were closed up, — about the year 1860. In 1852 he became one of the proprietors and the managing editor of the "Boston Post," having for many years previously written for its columns; and here for thirteen years he did faithful service as the principal contributor to that journal, when, in 1865, his connection with it ceased. After that time he was employed in attending to his private and public trusts and to literary pursuits. He had an active and busy life, and was far more devoted to public duties than to mere personal affairs; but he neglected nothing.

He had a warm attachment to his native town, and was fond of studying its history and of promoting its interests. He early became a member of the School Committee; and from 1838 to 1843, inclusive, he was one of the Trustees of the Free Schools, and during the greater part of the time President of the Board, and in that capacity signed their reports; and while at a later period he was Mayor of the city he was *ex-officio* Chairman of this Board. In 1840 he was chosen one of a Committee on Finance, whose duty it was to audit the accounts of the Town Treasurer, of the Overseers of the Poor, and of the Board of Health; and for several years he continued to be rechosen a member of the same committee, with similar duties. He was influential in establishing the Young Men's Charitable Association, and was connected with the Charlestown Debating Society, the Charlestown Union Library, and also the News Room, no one of which is now in existence.

For five years from 1840 to 1851, inclusive, he was a representative to the State Legislature, and in 1853 a member of the Massachusetts Constitutional Convention, and was Mayor of the city for three years, from 1851 to 1853. He delivered the address at the dedication of the new City Hall, June 17, 1869; and also the oration at the inauguration of the Soldiers' and Sailors' Monument, June 17, 1872, having served on the committee which had full charge of its design and erection. Of the Warren Institution for Savings he was for many years a Trustee, as also of the Public Library ever since its establishment in 1861; and after the annexation of the city to Boston he was a member of the Boston Library Board until 1879. On June 30, 1876, "Frothingham School and District"

was named in his honor. His connection with many literary, charitable, and other public institutions made him ever an honored guest or a welcome speaker at all civic or military gatherings, whether for business or pleasure.

In his political opinions he was a Democrat, — that is, he belonged to the party which bore that name, — and he did faithful work as a party man. He was a delegate to the National Democratic Conventions in 1852 and 1876, and was the nominee several times in his district for Congress. He served several times as a member of committees, was a delegate to local and State conventions, where he often presided, and was often a speaker at political meetings.

In his religious belief he was a Universalist, and conspicuous as a layman in that denomination. He was often a delegate to its conventions, was heartily interested in its schools and colleges, and was one of the trustees of Tufts College from its incorporation in 1852, and for eight years its Treasurer. His father was one of the original members of the Universalist Society in Charlestown, whose church was dedicated in 1811; and the son, in after years, was Superintendent of its Sunday school. In 1836 he was elected Clerk of the society, and served as such for several years. In 1840 he was a member of the Standing Committee, which office he held, with the exception of five years, till his death, serving almost continually as its chairman. In an address made at the annual meeting of the society in March, 1880, soon after Mr. Frothingham's death, the Hon. T. T. Sawyer paid the following tribute to his associate: —

"Thirty-eight years of service — three as Clerk and thirty-five as a member of the Standing Committee, most of the time as chairman — bears its own witness to his faithfulness and the estimation in which he was held by his associates. No religious organization ever had a more devoted and unselfish officer or member, — on all occasions ready with his counsel, his time, his means, and his hearty interest. Our records are filled with the evidence of what I say, and our memories are crowded with occasions made successful and happy by his presence. The enjoyment, the comfort, the interest of *all* alone occupied his thought; and Christian charity, that greatest of all good things, was never absent from his mind or his soul. Such was the man with whom we have all been associated."

But Mr. Frothingham's services were not confined to his native town, to his political party, or to his religious denomi-

nation. He served on various State and city committees; he was a member of the State Board of Health, and was from 1875 President of the Bunker Hill Monument Association. Elected in 1846 a member of the Massachusetts Historical Society, he was for thirty years its Treasurer. He was a member of the American Antiquarian Society, of the New England Historic-Genealogical Society, and corresponding member of several historical societies in other States, and an honorary member of the Phi Beta Kappa Society of Harvard College. He was twice called to deliver Fourth-of-July orations, — once in Newburyport in 1851, and in Boston in 1874. The honorary degree of A.M. was conferred upon him by Harvard College in 1858, and that of LL.D. by Tufts College in 1874.<sup>1</sup>

In this summary of Mr. Frothingham's busy life but slight mention has been made of his labors in the department of letters, more especially in that of history. His early love of books has been mentioned, and his fondness for what related to the annals of his native town. He collected a large mass of material, both in print and manuscript, for future use, and was known as being most liberal in imparting his unused stores to others who were writing on themes kindred to his own. He thus early laid a foundation for a noble library of monographs and local maps, as well as works of general history, to which he made additions from time to time, as increasing means and opportunities enabled him to do. He was ambitious of being a writer; and in order to discipline his mind for exactness in investigation and statement, he early began to keep a journal for the record of historical events, which he arranged in a tabulated form. He began to write for the newspapers, and thus by the diligent employment of his spare time was preparing the way for that usefulness and distinction as a writer which he afterward attained.

In 1845 he issued the first number of his "History of Charlestown," on the cover of which he says that a few years ago he prepared a series of communications upon the History of Charlestown, intending them for the "Bunker Hill Aurora,"

<sup>1</sup> For the greater part of the facts relating to Mr. Frothingham's early life in Charlestown, and of the dates connected with his public career, I am indebted to his son, Mr. Thomas Goddard Frothingham; and I have not hesitated to use often his own language in embodying his memoranda in this sketch.

but that the advice of friends induced him to keep them and add to them until they might appear in the more pretentious form of a volume. Nos. 2 and 3 followed in 1846; Nos. 4, 5, and 6, in 1847; and No. 7, in 1849. All these comprised three hundred and sixty-eight pages, bringing the History down to the Battle of Bunker Hill, an account of which is included in the last number. Mr. Frothingham evidently intended to bring the annals down to a later period, for the book was never issued as a completed work. The attractive subject of the Siege of Boston, to which he had now arrived in his History, grew to larger proportions on his hands; and before the close of the year 1849 it was issued as a volume by itself.

"The History of Charlestown" is one of our best town histories. Unfortunately, it did not receive the finishing touch of the author, and it contains no index. Since his death the publishers of the book have printed a titlepage and a table of contents, of which the owners can avail themselves if they wish, in binding their numbers.

"The History of the Siege of Boston," published in 1849, is, as I have already said in another place,<sup>1</sup> "a monograph so complete, so thorough in everything relating to the theme and its kindred incidents, that it threw almost all else written on this subject into the shade, as an exhaustive history of the Lexington and Concord affair, the Battle of Bunker Hill, and the Siege of Boston." Mr. Ticknor sent a copy of the book to Lord Mahon, who received it too late to be used by him in his History, but who spoke of it as showing "industry and merit." Mr. Bancroft, in a letter now before me, dated New York, Jan. 17, 1850, writes:—

"I received some days ago your History of the Siege of Boston, and I delayed acknowledging it purposely, that I might first examine it. Had I been less certain of instruction, I should have thanked you at once. I am now able to say to you that in my judgment your book excels any that has appeared on insulated parts of our history. It is the best of our historic monographs that I have seen. You have been patient in research and very successful; you have been most impartial; you have brought to excellent materials a sound and healthy judgment; and after finishing all this, your work is pervaded with a modesty which lends a new charm to its merit."

<sup>1</sup> See remarks on the death of Mr. Frothingham in the Proceedings, vol. xvii. p. 332.

This volume went through several editions, and the fourth appeared in 1873.

In 1865 Mr. Frothingham published his "Life and Times of Joseph Warren." He began this work in 1849, and his collection of materials soon became large. A glance at the Preface to the book will show the sources whence his authorities were derived.

It was the most natural thing in the world for Mr. Frothingham to write the Life of Joseph Warren, for "Mr. Frothingham regarded Warren as the embodiment of the spirit of the Revolution. His imagination seems to have been early impressed by the almost romantic career of that youthful patriot, who died in the affair of the 17th of June, just as he had reached the age of thirty-four years. Warren was the central figure always present to his mind, as the granite shaft, erected on the spot where his hero fell, was always present to his sight. The Life of Warren is thoroughly imbued with this spirit. If I should criticise the book, I should say that it lacked the quiet dignity and repose which should characterize the historical narrative; but I should forget, in doing so, that it was Mr. Frothingham writing the Life of Warren. The fervor is glowing and elevated throughout."<sup>1</sup> It is an authentic history of the time in which his hero lived, acted, and died.

Mr. Frothingham's last book of any extent was "The Rise of the Republic of the United States," published in 1872. He probably regarded this as his crowning work. He designed it as a history of the rise of local self-government throughout the colonies, showing that as the colonies grew in strength, the idea of national union was gradually developed. The germ of this sentiment, "the sentiment of nationality," he finds at an early stage in our history, and traces its growth to its final consummation in the Union of 1789.

This book must have cost Mr. Frothingham great labor in its preparation, for his facts were often derived from the most obscure sources. The information here embodied concerning the proceedings of towns and States which preceded and authorized the important movements resulting in the Declaration of Independence and the formation of the United States Government, is ample if not exhaustive. Mr. Winthrop has said of this work:<sup>2</sup>—

<sup>1</sup> Proceedings, vol. xvii p. 333.

<sup>2</sup> *Ibid.*, p. 330.

"It is not, perhaps, a volume to attract the general reader; but the student of political history will always resort to it in tracing the gradual development of the idea of national union on the American Continent, and will find in it a collation of the utterances not only of our own James Otis and Joseph Warren and Samuel Adams and John Adams, but of the great advocates of liberty and union in all parts of the country, from its earliest colonial existence."

It may be added here that the substance of this volume was, previous to its publication, delivered in a course of lectures on the Rise of the Republic before the Lowell Institute.

In 1864 Mr. Frothingham lost a very dear friend in the death of the Rev. Thomas Starr King, in San Francisco, California; and he prepared, and published in a duodecimo volume of about two hundred and fifty pages, a warm and beautiful tribute to his memory. Mr. King had formerly lived in Charlestown, and Mr. Frothingham had formed a close attachment to this cultivated and liberal young preacher and scholar; and this tribute discloses the intimacy of their relations, and the close bond of sympathy in mind and spirit by which they were united. And here I may not omit to mention that Mr. Frothingham had equally intimate relations with another eloquent preacher and divine, the Rev. Dr. E. H. Chapin, who was also settled for a time in Charlestown.

His services as Treasurer of the Massachusetts Historical Society for thirty years, in which, says Mr. Charles C. Smith, his successor in that office, "he exhibited the conscientious fidelity and accuracy which were among his distinguishing characteristics as an historian,"<sup>1</sup> by no means exhausted his labors in its behalf. The volumes of its Collections and Proceedings bear witness to his co-operation and aid as editor or contributor. The fourth volume of the fourth series, published in 1858, was edited by him, and contained the correspondence relating to the supplies sent to Boston during the unhappy period following the Boston Port Bill. In that volume was also published a rare manuscript—formerly known to exist, but for a long time lost—called Phineas Pratt's Narrative. Several copies of this tract were struck off in a separate pamphlet for distribution. Mr. Frothingham was also one of a committee on a centennial volume,—the fourth

<sup>1</sup> Proceedings, vol. xvii. p. 835.



volume of the fifth series, — printed by the Society in 1878, of which Mr. Adams, our Vice-President, was chairman.

The Proceedings also contain several of his contributions. At a special meeting of the Society, held on the evening of the 13th of December, 1873, at the house of Mr. Waterston in Chester Square, to commemorate the one hundredth anniversary of the Destruction of the Tea in Boston Harbor, Mr. Frothingham communicated a valuable paper, with many illustrative documents, which was printed in the Proceedings under that date.

The monthly meeting of the Society in June, 1875, was, by his invitation, held at his house in Charlestown. On that occasion he delivered an appropriate address, which, in an enlarged form, was printed in the Proceedings. It there includes the account of the Battle of Bunker Hill, by Judge Prescott, for the first time printed. Several papers were communicated by other members, and discussions ensued, after which, as the records of the Society say, "the members adjourned to the summit of Breed's Hill and the grounds on which the battle was fought, where were staked out the outlines of the redoubt and breastwork. The position of the rail fence at the foot of Bunker Hill was also pointed out to the members. After returning to the house, the meeting was formally dissolved, and the members retired to another apartment, where they received additional evidence of the hospitality of their host."

At the October meeting in 1877 he communicated for publication, as from Mr. Bancroft, a transcript of Governor Hutchinson's own account of the interesting conversation between himself and King George the Third, held in the royal closet immediately on the arrival of Hutchinson in London, July 1, 1774. This paper Mr. Frothingham had previously read to the Society, but at that time was enjoined from its publication, though it had been freely used by him in his *Life of Warren*. It was now published entire in the Proceedings. He, also, at this meeting communicated for publication a diary of Francis Newell, of Boston, "from 1773 to the end of 1774," from the original manuscript.

While the first volume of the early Proceedings of the Society, published in 1879, was passing through the press, Mr. Frothingham, by request of the Committee of Publication, prepared for it a memoir of the Hon. Josiah Bartlett, M.D., an

early member from Charlestown. A few copies of this paper were separately issued.

For many years he was a member of the American Anti-quarian Society, and he took great interest in their meetings. On the occurrence of one or more of the semi-annual meetings held in Boston, he extended to the members the hospitality of his home in Monument Square, and also served as their guide in pointing out the objects of interest on Breed's Hill. At the annual meeting in October, 1870, he prepared the Report of the Council, in which he discussed the subject of Municipalities, or Town Governments in the American Colonies.

I have made but a brief reference to his labors as a journalist, or to his services in public life, as a member of the State Legislature, and as Mayor of Charlestown. As a journalist, his pen was actively employed in discussing the party politics of the day; but he also wrote for the columns of his paper many articles of interest as historical treatises and reviews. Though a party man, and devoted to the advocacy of the line of policy pursued by the Democratic party before the War of the Rebellion, the morning after the news arrived that Fort Sumter had been fired upon by Southern rebels, he came out in his newspaper with a noble, patriotic leader, headed "Stand by the Flag," pleading that the Government and its flag be sustained.

While a member of the State Legislature he introduced and carried through that body a bill which provided for security to holders of bank-bills, by compelling banks to make a deposit of bonds with the State Auditor. The same principle had previously been in operation in other States, and has now for many years prevailed with regard to our national bank currency.

I may mention here that he was one of three commissioners appointed by the Legislature, — Dr. Palfrey and Solomon Lincoln being the others, — to report the names of two distinguished citizens whose statues should represent the State at Washington. The committee agreed on John Winthrop for the colonial period, but were divided between Samuel Adams and John Adams for the provincial period. Mr. Frothingham's minority report for Samuel Adams was accepted.

During the time he was Mayor of the city of Charlestown the Corcoran riot occurred; and many will remember

that to his promptness in calling out the local companies of State militia, the Catholic Church was probably saved from destruction.

In the spring of 1852 Louis Kossuth, the eloquent Hungarian patriot and exile, visited New England. The citizens of Charlestown invited him to Bunker Hill, where, on the 3d of May, a large and enthusiastic concourse of persons received him. The route of the procession was so planned as to afford him an opportunity to see the most interesting localities on the way to Breed's Hill, where on the west side of the monument an immense platform was erected. At twelve o'clock Mayor Frothingham addressed Kossuth as follows:—

“Governor Kossuth,—In behalf of the citizens of Charlestown, I bid you a cordial welcome to this memorable place. We stand on America's classic ground. The waters that flow beneath us, and every hill-top and valley that spread out in a beautiful amphitheatre around us, have their story of the men who perilled and suffered for the cause of freedom. Here was fought the first great battle of the War of the Revolution; there [pointing to Cambridge], near the shades of our venerable Harvard, Washington stood when he first drew his sword in that great struggle; on yonder summit [pointing to Prospect Hill] . . . the Union flag of the thirteen stripes was first unfurled to the battle and the breeze; and it was over our proud metropolis that this flag for the first time waved in triumph behind a retreating foe.

“Welcome, great patriot, to these enkindling associations! Your noble nature, your fidelity to principle, your labors, triumphs, perils, and sufferings in your country, and your continued and untiring devotion, in exile, to the cause of your fatherland, proclaim you to be of kindred spirit with the immortal men whose heroism, in a day of baptism of fire and blood, hallowed this soil forever to the lovers of liberty! Welcome illustrious exile, to the sacred inspiration, to the awakening power, of this consecrated spot.”

To this address of the Mayor, of which only a portion is here given, Kossuth replied in a speech of considerable length.<sup>1</sup>

Mr. Frothingham resigned the office of Treasurer of this Society at the annual meeting in April, 1877, after a service, as I have already said, of thirty years. The contrast between the financial condition of the Society in 1847, when he took the office, and at the time when he left it, was marked. The Society then had no funds from which they could draw an

<sup>1</sup> See Kossuth in *New England*, pp. 125-136. Boston, 1852.

income, their principal receipts being from annual fees of three dollars a year, from sixty members, and admission fees of eight dollars. A reference to his last account, as rendered, will show the Society's improved condition. Mr. Frothingham was a model treasurer, careful, exact, and conservative; and resolutions testifying to his faithful service were adopted on his resignation. He had a strong attachment to the Society. All its members may be said to have been his personal friends, and he still continued to be a constant attendant at its meetings. His interest never flagged.

In February, 1879, he took a severe cold, which, two days afterward, his physician pronounced to be pneumonia. It soon assumed a serious form. He rallied only to linger, and was never himself again. He occasionally mounted the iron staircase to these rooms, — for his heart was here, — and sometimes he quietly visited other accustomed haunts; but a chronic disease of the brain slowly wore him away. At last, "with very little suffering, and really with many days of quiet rest and comfort, his strength gradually failed until he died, Jan. 29, 1880." When his death was announced, the feeling in Charlestown was well-nigh universal, that the community had lost its first citizen.

At the meeting of the Historical Society in the following February, the President announced the decease of their late Treasurer, with warm words of tribute, and with appropriate resolutions from the Standing Committee. He was followed by several members of the Society, including Mr. Charles C. Smith and Mr. Charles Francis Adams, Jr.<sup>1</sup>

All who knew Mr. Frothingham could testify to the purity and worth of his private character. Says Mr. Winthrop: "Honest as the day, amiable, modest, public-spirited, and patriotic, his memory will be cherished by all who knew him, as we did, with unfeigned respect and affection." Courteous and simple in his manners, the purity of his motives and the benevolence of his heart gave a tone to all his conduct. He was a man to be loved, and had not an enemy in the world. He was practically a public man, a man of affairs, with a wide acquaintance with men. He loved to recall in later years his recollections of the distinguished people he had casually met, as of those with whom he was on terms of acquaintance

<sup>1</sup> Proceedings, vol. xvii. pp. 329-336.

and intimacy. He never forgot that when a boy he twice shook hands with Lafayette; and while in more recent years he met and conversed with the Prince of Wales and Dom Pedro, he had a sort of grim satisfaction in admitting that he once entertained Jefferson Davis and William L. Yancey. He more than once told me of the interest which Mr. Webster had taken in his historical investigations, particularly those in which he had pointed out how general had been the action of towns and primary assemblies in authorizing or confirming the doings of their representatives in the revolutionary and organic periods of our history.

Living under the shadow of Bunker Hill, he was naturally looked to by visitors as the interpreter of the battle which its monument commemorates. No one imparted information more cheerfully than himself, or more graciously dispensed the elegant hospitalities of his charming home in Monument Square, where, on anniversary or other public days, a welcome hand was extended to the stranger as well as to the friend.

In his twenty-second year, on the 18th of December, 1833, Mr. Frothingham was married to Vrylena, daughter of Deacon Isaac Blanchard, of Charlestown. A pleasant recognition of her sympathy with, and her interest in, his historical studies, is shown, forty years afterward, in an inscription following the titlepage of his "Rise of the Republic," "To my wife I dedicate this work." Three years after his death, as a tribute "to his memory, and to aid the Society in extending its honorable work," she gave this Society three thousand dollars and the stereotype plates of her late husband's historical works, by means of which the "Richard Frothingham Fund"<sup>1</sup> was created, and will forever stand as a memorial of her generosity and her devotion to the memory of her husband.

Funeral services were held in the Universalist Church on the 2d of February, conducted by his pastor, the Rev. Charles Follen Lee, whose simple, touching, and impressive words of tribute went to the heart. As pall-bearers the Massachusetts Historical Society was represented by the Hon. Robert C. Winthrop and the Hon. Charles Francis Adams; the Bunker Hill Monument Association, by the Hon. Frederic W. Lincoln and Abbott Lawrence, Esq.; the Board of Trustees of Tufts College, by President Capen and the Rev. Dr. A. A.

<sup>1</sup> See the Proceedings, vol. xx. pp. 174, 175.

Miner; the Standing Committee of the Parish, by the Hon. Timothy T. Sawyer and the Hon. Edward Lawrence. He was laid in the family lot at Mount Auburn.

His wife and five children survive him, — one son, Thomas Goddard Frothingham, and four daughters.

The following works by him have been published: —

- Address at the Dedication of the Warren Schoolhouse, Charlestown, 1840.
- Oration delivered in Newburyport, July 4, 1851.
- Mayor's Address. Charlestown, 1851.
- Mayor's Address. Charlestown, 1852.
- Mayor's Address. Charlestown, 1853.
- History of Charlestown. Boston, 1845.
- Siege of Boston. Boston, 1849. Four editions were published.
- Command at Bunker Hill: Reply to S. Swett. Boston, 1850.
- Phineas Pratt's Declaration. Reprinted from 4 Mass. Hist. Soc. Coll. vol. iv. 1858.
- Tribute to Thomas Starr King. Boston, 1865.
- Life and Times of Joseph Warren. Boston, 1865.
- The Rise of the Republic of the United States. Boston, 1872.
- Address at Dedication of Soldiers' and Sailors' Monument, Charlestown, 1872.
- Oration delivered in Boston, July 4, 1874.
- The Centennial: Battle of Bunker Hill. Boston, 1875.
- The Battle of Bunker Hill, with William Prescott's Narrative. From the Proceedings for June, 1875, vol. xiv. pp. 52-102.
- Illustrations of the Siege of Boston, etc. Reprinted from the Proceedings of the Massachusetts Historical Society for March, 1876, vol. xiv. pp. 261-299.
- The Alarm on the Night of April 18, 1775. 1876.
- Notice of the Hon. Josiah Bartlett, M.D. From the Proceedings, vol. i. pp. 323-330.

No attempt has been made to make a list of the papers and addresses of Mr. Frothingham, not separately published; but mention may be made of a "Sketch of the History of Charlestown," in Hayward's "New England Gazetteer," 1857.



MEMOIR  
OF  
SAMUEL F. HAVEN, LL.D.

BY CHARLES DEANE.

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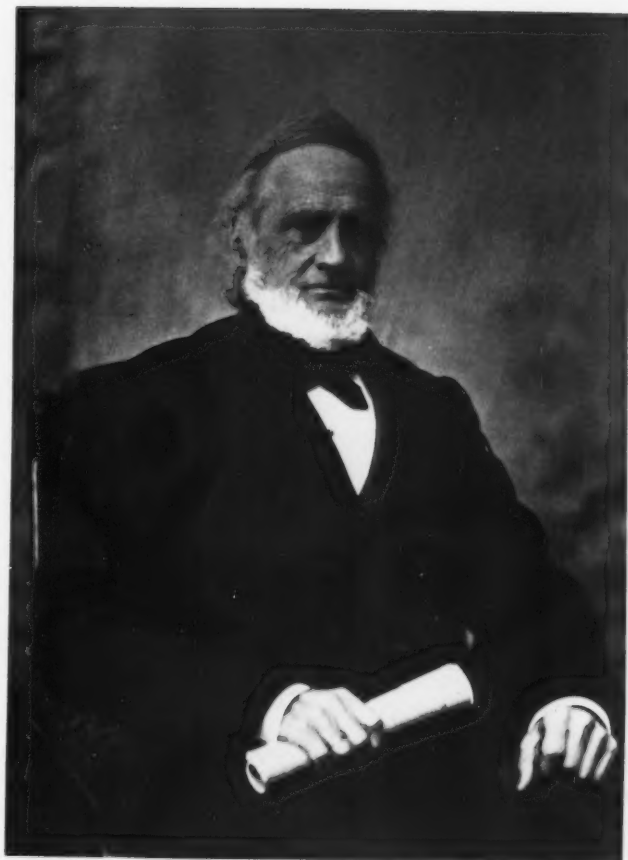
THE distinguished archaeologist and historian whose name is placed at the head of this notice, and who was for more than forty years Librarian of the American Antiquarian Society, died on the 5th of September, 1881. Commemorative tributes to his character and genius and to his eminent services were paid by associations and individuals with whom he had for many years been intimately connected. Special mention may be made of those by the Hon. Stephen Salisbury and Colonel John D. Washburn, at a meeting of the Council of the American Antiquarian Society, held on the day following Mr. Haven's death; and of those of the Rev. Edward E. Hale, D.D., in his report of the Council of that Society in October, followed by brief remarks of Mr. Barton, the Librarian, and of Mr. Paine, the Treasurer. Tributes of Mr. Winthrop and of Dr. Ellis, the President and Vice-President of the Massachusetts Historical Society, at the meetings in September and October of that year, are duly recorded in that Society's Proceedings. The more elaborate tributes of Dr. Hale and of Colonel Washburn, above referred to, are admirable as an analysis of Mr. Haven's fine qualities of mind and as a characterization of the man. Nothing better could be desired.


All these remarks, with resolutions adopted by several societies, were, by direction of Mrs. Haven, printed in a pamphlet as a "Memorial" for distribution.

In the brief sketch which I shall here give, I propose to myself the humbler service of describing Mr. Haven principally through his work.







*S. J. Haven*  




Samuel Foster Haven was the son of Samuel and Elizabeth (Foster) Haven, and was born in Dedham, Massachusetts, May 28, 1806. He was descended from Richard Haven, of Lynn. He was prepared for college at Phillips Academy, Andover, Massachusetts, and Phillips Academy, Exeter, New Hampshire; and he entered Harvard College in 1822, where he spent two years. He then entered Amherst College, from which he graduated in 1826. After leaving college he began the study of the law, one year being spent in the office of the Hon. Theron Metcalf in Dedham, and one year in the Harvard Law School. He was admitted to the bar in September, 1829, and passed one year in the practice of his profession in Dedham, and three years in Lowell, where he continued two years longer as secretary of an insurance company. Returning to Dedham in the fall of 1835, he remained there till April, 1838, when he took up his residence in Worcester, Massachusetts, having been previously (Sept. 23, 1837) chosen Librarian of the American Antiquarian Society. In this position he continued till failing health compelled his resignation from active duties, in April, 1881.<sup>1</sup>

Mr. Haven's historical and archæological writings were principally prepared in connection with his duties as Librarian, and published in the Antiquarian Society's volumes. He had a natural taste for history, and was a polished writer. On the 21st of September, 1836, a year before he was chosen Librarian, he delivered a centennial address at Dedham, which was published in the following year, and entitled "An Historical Address delivered before the Citizens of the Town of Dedham, being the Second Centennial Anniversary of the Incorporation of the Town." Entering upon his duties as Librarian in April, 1838, he found congenial work. His first printed report is contained in a pamphlet published in 1839, entitled "Fifty-third Semi-annual Report of the Council of the American Antiquarian Society, May 29, 1839, with the Report of the Librarian." This report of the Librarian is his semi-annual report from October, 1838, to May, 1839, inclusive. The pamphlet also included abstracts of the reports submitted at the annual meeting in October, 1839. A glance at these

<sup>1</sup> A brief summary of Mr. Haven's life in an "Obituary Record of Graduates of Amherst College for the Academic Year ending June 28, 1882," published at Andover, has furnished me with some data for this sketch.



reports by Mr. Haven shows that he fully realized the importance of the work he had entered upon, and that he was maturing his plans for classifying the large mass of historical material which came under his hands. In the report for May, 1839, he says : —

“The duty of arranging the Library according to a scientific method, required of the Librarian by the by-laws, has been the subject of much consideration. Efforts have been made to ascertain what systems have been adopted in other libraries, and to learn the views of persons having the advantage of experience. The result is a conviction that only a very general arrangement of books upon the shelves with reference to subjects is practicable or expedient, and that the classification in the Librarian's Catalogue should be simple and comprehensive. It is often less difficult to find a book under a general head than to trace it through minute subdivisions, where a difference of opinion may exist as to the propriety of its position. An exemplification of the arrangement proposed by the Librarian for his book of entries, accompanies this report. It will be perceived that, being based upon the great objects of the Society, namely, to ascertain the past, preserve the present, and keep pace with the *progressive* history of America, the titles of the classes have relation to that design, the minuter subdivision being that of dates or periods of time. Foreign works and others not affecting our history must of course be placed under heads appropriate to themselves.”

The next published reports were of the two meetings in 1843, issued separately; but they were mere abstracts, with a list of the books given. Seven years later, in 1850, we have in print the Proceedings for the October meeting, 1849; and from that time to the present the Proceedings of all the meetings have been regularly issued. This circumstance, together with the increase of members and the added interest in the objects of the Society, gave Mr. Haven freer scope in the preparation and publication of his reports, in which he began to embody those delightful disquisitions on historical themes which for so many years gave a charm to the meetings of the Society. He occasionally wrote the reports of the Council, which are signed with his name.

It was now many years since the Society had published a volume of its Transactions, known as “*Archæologia Americana*.” This was Volume II., issued in 1836; but the Society had for some time contemplated an important work. At the October meeting in 1845, it was announced that arrangements

were in progress for the publication of a new volume of "Archæologia," to be made up in part of the earliest records of the Colony of Massachusetts Bay, containing matters of great interest which had never yet been printed, beginning with the formation of the company in England, and coming down to about the year 1640. These records were exposed to great peril; and as the State had not seen fit to direct their publication, it was hoped that the legislature might be disposed to aid the efforts of the Antiquarian Society in securing their publication.

In entering upon this work, the Council, at the meeting in October, 1849, suggested that it was an undertaking of the Society in a new direction, "indicating a change in the sphere of its operations, which may possibly become more marked hereafter."

Mr. Haven undertook the editorship of the volume. The transcript was made by Mr. David Pulsifer, and the care and labor of collation were shared with him by the Rev. J. B. Felt, one of the Committee of Publication. The volume, or part of a volume, being Part I. of Vol. III. of "Transactions," the text of which consisted of about one hundred pages, was announced at the October meeting in 1850 as having been published. It comprised only the Massachusetts Company's Records from the beginning down to the embarkation of Winthrop at Southampton, March 23, 1630. To this Mr. Haven had prefixed a treatise on the "Origin of the Company," consisting of one hundred and thirty-eight pages. This, with numerous notes to the text, embraced a mass of information about the Company and its members which had never before been brought together, and all students of New England history were grateful to him for his labors. Dr. Palfrey says concerning this treatise: "To no one am I indebted for more light than to that eminent archæologist, Mr. Samuel F. Haven, of Worcester, . . . in elaborating the view presented in these pages of the origin and purposes of the Company of the Massachusetts Bay."

This portion of the Records of the Massachusetts Colony was all that the Antiquarian Society ever published; for on the 2d of May, 1853, the legislature authorized the printing of the first two volumes of the Records, under the supervision of Dr. N. B. Shurtleff; and the unused part of Mr. Pulsifer's

transcript was passed over to the State, and Vol. III. of the Society's Transactions was completed by the publication in 1857 of "Hull's Diary," edited by Mr. Hale.

In December of that year, 1850, Mr. Haven and Mr. James Savage had a discussion in the "Boston Daily Advertiser" on the question as to the number of persons who came over with Endicott, and as to whether more than one ship transported them. The first article, contributed by Mr. Haven, headed "Did Endicott and his Company embark in a Single Ship?" was called out by an adverse criticism, in the November number of the "Christian Examiner," on his recently published notes. Mr. Savage replied in an article headed "Captain Endicott and his Companions came in a Single Ship," and signed "Veridicus." Mr. Haven rejoined, and Mr. Savage had the last word. A few years ago Mr. Haven had these papers reprinted in a pamphlet, with an unpublished concluding number by himself, — No. V., which the editor of the "Advertiser," unwilling to prolong the controversy, had declined to publish, — and entitled it "A Brief Passage at Arms in relation to a Small Point of History," — one hundred copies of which were printed.

Mr. Haven's duties as Librarian were considerably increased about this time by the necessity of providing enlarged accommodations for the Society. A new building was erected, and in 1853 was completed; and the treasures of the Library and Cabinet were transferred to the present depository, and the annual meeting for October was held in its beautiful new hall. In his report at this meeting he speaks of the obvious necessity for the present, in placing the books upon their shelves, to preserve as far as possible their former arrangement, in order to retain the benefit of the numerical references in the catalogue. This was wise, as any other plan would have been attended with increased labor, and he had enough to do already.

There was a growing interest in the history of the European race in this country; and as materials for that history were rapidly accumulating under his eye, it required time and labor to render them available for use. But Mr. Haven never lost his love for the purely archaeological themes to which the Society was early devoted; and in 1855 he furnished, as one of the "Smithsonian Contributions to Knowledge," a

volume, of one hundred and sixty-eight pages in folio, on the "Archæology of the United States," giving a history of investigations and their results down to the time he wrote. And in the discussion of historical matters in his semi-annual reports for the next twenty-five years, it will be noticed that, interspersed among the discussions of topics more nearly related to our own times, such subjects as American Archæology and Exploration, Mexican Antiquities, Mound Builders, Dighton Rock, the Prehistoric Period in the Old World, Lake Dwellings, the Stone Age, Flint Implements, etc., often employed his pen.

In 1860 the Antiquarian Society published a new volume of "Transactions," — Vol. IV. Mr. Haven, Mr. Hale, and myself had for some years constituted the Publishing Committee of the Society, and now we each contributed a paper to this new volume. Mr. Haven's contribution was a "Narrative of a Voyage to Spitzbergen in the Year 1613," from a contemporary manuscript, with introduction and notes. He had some copies separately issued for private distribution.

Never of a robust constitution, his health was often feeble. He was a solitary man. Losing the wife of his youth a few years after their marriage,<sup>1</sup> his only domestic solace was the care of their only son, bearing his name, who, as he grew up to manhood, fulfilled every promise and hope that had been cherished of him. He graduated at Harvard College in 1852, and at the Boston Medical College in 1855, continued his studies in London, Paris, Vienna, and Berlin, and settled in Worcester. When the War of the Rebellion broke out, he offered his services, and joined the Fifteenth Massachusetts Regiment as assistant surgeon. He was regardless of personal exposure, and always accompanied his regiment into battle. At the engagement at Fredericksburg he was killed by a shell, while marching by the side of the color-bearer, Dec. 13, 1862.<sup>2</sup>

This was a well-nigh crushing blow to his father, already suffering from infirm health; but his library work went on. In the report of the Council at the next meeting of the Anti-

<sup>1</sup> It is stated, at the conclusion of this notice, that on Dec. 8, 1872, thirty-six years after the death of his first wife, Mr. Haven married Frances Williams, daughter of Major Samuel Allen, of Worcester.

<sup>2</sup> An appreciative memoir of him, by William S. Davis, H. U. 1868, is in the "Harvard Memorial Biographies," vol. i. pp. 192-202, Cambridge, 1866.

quarian Society, written by Mr. Salisbury, he says of the Librarian: "He has not suffered his own labors for the advancement of learning to be diminished by regard to private sorrow or physical weakness."

I have spoken of Mr. Haven as a polished writer. His style was vigorous, and, when occasion called for it, pungent. A very good example of his manner as an historical critic may be seen in his review of the "Memorial Volume of the Popham Celebration, Aug. 29, 1862," which appeared in the Librarian's Report for April, 1865, and which is a masterly discussion, or dissection, of certain novel views relating to New England colonization, then recently broached in the volume referred to.

At the meeting of the Society in April, 1866, a series of resolutions was offered and remarks were made on the recent death of Mr. Sparks; and Mr. Haven joined in a discriminating analysis of the character of that distinguished scholar as an historian, awarding to him the highest praise.

The President also laid before this meeting, as its records recite, —

"a communication from L'Académie d'Archéologie de Belgique, and La Société Française d'Archéologie, inviting this Society to be represented by delegates at an intended congress to be held at Antwerp in August next. It was voted to be represented at that congress; and Charles Deane and Samuel F. Haven, Esquires, were chosen delegates. The President was authorized to fill any vacancy, and, if he deem it expedient, to appoint an additional delegate."

The appointed delegates accepted, Mr. Haven feeling that a voyage to Europe would benefit his health; and as Dr. A. P. Peabody had already made arrangements for a visit to Europe, he was added to the commission. We sailed on the 6th of June for Liverpool, and before reaching London visited Chester, Stratford, Warwick, and Oxford. In London the British Museum and the Public Record Office especially offered objects of interest to American antiquaries; and in the latter we examined, beside other papers of great value, what remained of the "Records of the Council for New England," of which a transcript was ordered by Mr. Haven for the Antiquarian Society's Proceedings. Though constantly suffering from physical weakness, he enjoyed much. Letters

to well-known persons in London opened for him several sources of gratification. It was a real pleasure to him to be invited to the Athenæum Club, to meet there and converse with the Duke of Argyll and other distinguished gentlemen, to drive with that nobleman to the House of Lords, to enter on the floor of the House, sit at the foot of the throne, and listen to a powerful speech from his Grace; but to dine with the Noviomagians at Greenwich, with his old bibliographical friend, Henry Stevens, of No. 4 Trafalgar Square, was a greater pleasure still.

On our way to Scotland we visited Cambridge and Boston, turning aside to Austerfield, Scrooby, and Bawtry, early associated with the Pilgrims Bradford and Brewster, and we were guests of Lord Houghton's friends at Bawtry Hall. While in Edinburgh we had notice that, owing to the prevalence of the cholera in Antwerp, the meeting of the Archæological Congress had been postponed till the next year. We however went to the Continent, and visited many of the principal cities and the objects of interest to strangers. Mr. Haven having resolved to pass the winter in Rome, I left him at Geneva, and returned to America *via* Liverpool.

At the meeting of the Society in April, 1867, allusion was made, in the report of the Council, to Mr. Haven's continued absence in Europe, and to his having sent home a transcript of the "Records of the Council for New England," which was communicated to this meeting, and printed in the Proceedings. This was a document of great value. By the October meeting he had returned home, greatly improved in health; and in the report of the Council made by him, he gave an interesting account of recent archæological discoveries in Europe.

While in Paris, on his way home, he examined the original map of Sebastian Cabot in the National Library, which I had previously seen, and of which I had brought home for the Antiquarian Society a copy of Jomard's reproduction. We were now able to compare notes concerning this interesting relic, of which that Society has now a photographic copy.<sup>1</sup>

In the spring of the year 1872 Mr. Haven, wishing to escape the March winds of New England, so much dreaded by

<sup>1</sup> Proceedings Amer. Antiq. Soc. for October, 1866, pp. 10-14, and April, 1867, pp. 43-60; do. Mass. Hist. Soc. xix. 387.



invalids, urged me to go with him to the South. We visited several Southern cities; and as it was during the period of "carpet-bag" government and negro legislation, we saw much that was new to us. He found a warm and quiet nook in Columbia, the capital of the State of South Carolina, where he thought he should like to stay and sun himself for a while; so I left him and came home by way of James River and Chesapeake Bay. Mr. Haven, I believe, found Columbia more warm than quiet; for I understood that a negro riot took place the day after I left, and some shots were fired into the hotel where he was staying. So he came away, and reached home in time for the meeting of the Society, April 23, when he read his semi-annual report. In this he embodied some reflections occasioned by his recent visit. "It is impossible," he said, "to avoid the conviction, now prevalent at the South, that South Carolina will be abandoned by the whites, and given up to the possession, as it is now surrendered to the rule, of the blacks; and that a similar result must follow in every State where the blacks have a great advantage of numbers. For a miracle seems necessary to render it possible for the two races to live together on terms of political equality under such circumstances. Coming generations will be better judges of this possibility than ourselves; and in any event the photographs, and caricatures even, in which the first mixed political assemblies are represented, will be to those generations priceless relics." His forebodings were gloomy, but not more so than circumstances at that time in South Carolina seemed to justify.

The Society for some years contemplated printing a revised and enlarged edition of Isaiah Thomas's "History of Printing in America," first published in 1810. Mr. Thomas had left an interleaved copy of the book, with omissions and alterations, and with new, undigested material for insertion. Samuel F. Haven, Jr., M.D., greatly interested himself in this revision; and in rendering available this material, and in extending the work by original investigation, his labors, long continued, were of great value. But his literary and professional occupations were cut short by the call of his country at the opening of the civil war. In subsequently preparing the new edition for the press, the catalogue of books as left by him was adopted without material alteration. Mr. Haven,

as chairman of the committee, had charge of the work, and with him was associated Mr. Nathaniel Paine. Mr. Joel Munsell, the eminent printer of Albany, a member of the Society, was added to the committee; and at his press the work was issued in 1874, in two volumes, being Vols. V. and VI. of the Transactions.

For a number of years Mr. Haven had been relieved of some of the details of administering the large and growing library of the Antiquarian Society, by an efficient assistant, Mr. E. M. Barton, who has now succeeded him as Librarian. This gave him more time for correspondence and for the employment of his pen on his favorite themes, of which the Society reaped the benefit. Fortunately, Mr. Haven was not wholly dependent for his support on the small salary he received; and for several years the services of his assistant or assistants — for sometimes there were more than one — were wholly paid by him. His work was a labor of love.

The Antiquarian Society for some years had largely increased its interest in archaeological subjects, returning in a manner with greater devotion to the object of its first love. This was largely due to Mr. Stephen Salisbury, Jr., who in 1861 passed the winter at Mérida, the capital of the Province of Yucatan, as the guest of Don David Casares, his classmate, where he had an opportunity of studying on the spot the wonderful aboriginal ruins of that province, and of forming the acquaintance of several distinguished archæologists. This visit in time produced its fruit in a series of papers and illustrations with which the Proceedings have from time to time within the last ten years been enriched. Mr. Haven watched the progress of these studies with a growing interest, as well from his well-known native love of the themes as for its opening a new field of investigation for his young friend.<sup>1</sup>

At the April meeting of the Society in 1879, Mr. Haven being absent in Florida for the benefit of his health, a portrait of him in oil by E. L. Custer, of Boston, was presented to the Society by the Hon. Edward L. Davis, in behalf of members

<sup>1</sup> See "The Mayas: the Sources of their History. Dr. Le Plongeon in Yucatan: his Account of Discoveries. By Stephen Salisbury, Jr. From the Proceedings of the American Antiquarian Society of April 26, 1876, and April 25, 1877. Privately printed. Worcester, 1877."

of the Society. Suitable remarks were made, and resolutions adopted. The portrait now hangs in Antiquarian Hall, in company with like representations of the presidents, librarians, and benefactors of the Antiquarian Society.

Mr. Haven was elected a member of the Massachusetts Historical Society in August, 1859, and he occasionally attended its monthly meetings. At the September meeting, 1865, he communicated a paper, containing "Proposals for Printing by Subscription a Volume of Poems and Letters on various Subjects, dedicated to the Right Hon. Benjamin Franklin, Esq., one of the Ambassadors of the United States at the Court of France. By Phillis Peters." Then followed a long list of the subjects of the poems, and of the persons to whom the letters were addressed. Under the name of Phillis *Wheatley*, a volume of the poems of this young negro girl had been printed in England in 1773, with her portrait, — a volume frequently reprinted in this country. In 1778 she married a man of her own color, named John Peters; and she died in 1784. It is probable that the volume in regard to which the above "Proposals" were issued was never published.

At the April meeting, 1878, Mr. Haven laid before the Society an extract from the Diary of the Rev. David McClure, D.D., relating to the Battle of Lexington; and it was printed in the Proceedings, with a biographical sketch of Dr. McClure.

In January and February, 1869, a course of historical lectures was delivered before the Lowell Institute by several members of the Massachusetts Historical Society. The course was opened, January 5, by Mr. Winthrop, on "Massachusetts and its early History." Mr. Haven delivered the fourth lecture, January 15, on the "History of Grants under the Great Council for New England." These lectures were afterward printed in one volume, and Mr. Haven added a "Supplement" to his lecture of eleven pages in smaller type, embodying a large amount of additional matter. This lecture increased Mr. Haven's already high reputation as an American scholar. It was separately reprinted, as, with one exception, were all the lectures in the course of thirteen.

Perhaps the last important paper which Mr. Haven wrote was a chapter in Mr. Winsor's "Memorial History of Boston," Vol. I. Chap. II., entitled "Boston Founded," published in

1880. It is a sketch of the history of the Massachusetts Company from the beginning to the time when it was merged in the Colony of the Massachusetts Bay.

Increasing years wore upon Mr. Haven's feeble constitution. For some time before the annual meeting of the Antiquarian Society in 1880, he had sensibly failed. The last meeting which he attended was in that year, when he arose from a bed of sickness to be present and make his report. During the following year he had alternations of strength and weakness, but gradually declined. In April, 1881, he resigned his active duties, and was appointed Librarian *emeritus*. He died on the 5th of September of that year, and was laid in Mount Auburn.

In his will Mr. Haven directed, that, at the death of his wife, or sooner if she should think best, all his books and one thousand dollars in money be given to the Antiquarian Society; the books to be placed in an alcove to be called the Haven Alcove, and the money to be safely invested, and the income used in the purchase of books for said alcove.

Mr. Haven received the honorary degree of A.M. from Harvard College in 1852, and the degree of LL.D. from Amherst in 1879. He was married, May 10, 1830, to Lydia Gibbon Sears, daughter of the Rev. Freeman Sears, of Natick, Massachusetts. She died March 10, 1836, leaving one son, to whom reference has already been made. Dec. 3, 1872, he was married to Frances Williams, daughter of Major Samuel Allen, of Worcester, Massachusetts, who survives him.

## MEMOIR

OF

CHARLES WESLEY TUTTLE, PH.D.

BY EDMUND F. SLAFTER.

CHARLES WESLEY TUTTLE, the eldest son of ~~Thomas~~ and Mary Tuttle, was born in the town of Newfield, Maine, on the 1st of November, 1829, and died in Boston on the 17th of July, 1881. His ~~mother~~ having died when he was very young, he was placed in the family of an uncle in Dover, New Hampshire, the home of his ancestors as far back as 1635. He had a common ancestry with the Wentworths, the Sherburnes, the Langdons, and the Gibbonses, who were distinguished in the colonial annals of New Hampshire. His boyhood and youth were passed in that ancient town, where in its public schools he obtained the elements of a good practical education. He developed at a very early period an extraordinary interest in the study of astronomy. While yet a youth, he constructed with his own hand a rude telescope, which aided him greatly in his favorite pastime of observing the heavenly bodies. Before he reached his majority he devoted several months to the study of the science of astronomy and the use of astronomical instruments, under the instruction of Professor William Cranch Bond, who was then Director of the Observatory of Harvard University. When in 1850 he found himself regularly installed by the authorities of the University as an assistant observer to Professor Bond, it would be difficult to summon language to express adequately the profound satisfaction which he felt in the career that seemed now opening before him in the very line of his youthful aspirations and tastes.

Mr. Tuttle remained four years an assistant at the Observatory ; and notwithstanding the long and successive nocturnal









Faithfully Yours.  
C. W. Little



watchings, the intellectual activity and physical endurance which his duties exacted from him, they were years of positive, unalloyed happiness. The astronomical observer, like the scientific or historical investigator, performs a large part of his work without the satisfaction of seeing any ostensible fruits of his labor. The Annals of the Observatory show that Mr. Tuttle in this respect had much reason for self-gratulation, when his youth and the short period of his service are taken into account. This cannot be better proved than by citing the record itself. On the 15th of November, 1850, Mr. Tuttle entered upon the records of the Observatory his observation of the planet Saturn as follows: —

"Saturn looks remarkably distinct. Its belts are easily seen, and the division of the ring is quite conspicuous. I notice that dark penumbral light on the inside of the interior at its greatest apparent elongation from the ball, which I have seen several times before on good nights. It resembles very much the illuminated part of the disc of the moon just before and after conjunction with the sun. It is similar on either side of the planet. Its estimated width is about the same as that of the outer ring, or a little less. The greatest width of the dark ring is at a point on each side of the planet in a line with the axis major of the other rings. From this point it diminishes as it passes behind and in front of the planet, when it appears as a dark hue on the disc. Close to the inner edge of the interior ring, the inside of this dark ring is very sharply defined. But I cannot see that it is detached from it. A dark band of considerable width, the shadow of the ring on the disc of the planet is seen below. With a power of 401 the view is more satisfactory."<sup>1</sup>

The activity of the young observer's mind, as well as the ripeness of his judgment, may be inferred from Professor Bond's accompanying statement, which appeared in the publication above referred to: —

"On the evening of the 15th, the idea was first suggested by Mr. Tuttle of explaining the penumbral light bordering the interior edge of the bright ring outside of the ball, as well as the dusky line crossing the disc on the side of the ring opposite to that where its shadow was projected on the ball, by referring both phenomena to the existence of an interior dusky ring, now first recognized as forming part of the system of Saturn. This explanation needed only to be proposed to insure

<sup>1</sup> *Ide Annals of the Astronomical Observatory*, vol. ii. p. 48.

its immediate acceptance as the true and only satisfactory solution of the singular appearances which the view of Saturn presented during the past season, and which we had previously been unable to account for."

On the 3d of March, 1853, the monotonous life at the Observatory was enlivened by an event such as always carries a thrill of joy to the heart of the patient watcher of the heavenly phenomena. On that night Mr. Tuttle had the rare satisfaction of announcing the appearance of a comet which had not been seen by any observer on this continent, although it was afterward found that his discovery had been antedated in Italy, but not for a period sufficient for the announcement to reach these shores. Professor Bond's record of it in the *Annals* is as follows:—

"On March 3d a new comet was discovered by Assistant Charles W. Tuttle. We however subsequently learned that it had been seen two days earlier at Rome by Professor Secchi. Mr. Tuttle computed the elements of this comet from his own observations."<sup>1</sup>

The position of this comet in the heavens was near the star Rigel. It revolves round the sun in not less than sixteen hundred years. Mr. Tuttle computed both the elements of its orbit, and an ephemeris of its course.

In 1854 Mr. Tuttle experienced the painful termination of his hopes in the line of his favorite pursuits. Application to astronomical work, and particularly the effect of the powerful light of celestial objects seen through the telescope, and the effort to read the minute divisions of graduated instruments in the night, developed or created a defect in his eyesight which neither time nor medical remedies could restore. The inevitable result, after some delay, was the resignation of his office as assistant observer in the University, which he had held for four years with great pleasure to himself and eminent satisfaction to the authorities of the institution.

Professor William C. Bond in his next report refers to this event in the following language:—

"During the year some changes have taken place in regard to the assistants at the Observatory. Mr. C. W. Tuttle found himself under the necessity of resigning his connection with the Observatory, in consequence of the failure of his eyesight,—a circumstance much to be

<sup>1</sup> *Vide Annals of the Observatory*, vol. i. p. clxxii.

regretted, as he participated faithfully and ardently in our pursuits, and had proved an eminently capable assistant during the four years of his engagement. A journey to the West, affording relaxation from undue exertion of his eyes, has so far arrested the progress of the malady as to enable him partially to resume his duties as an assistant, while at the same time he has entered himself as a law student at Dane Hall."<sup>1</sup>

But while he withdrew, about this time, wholly from professional connection with the Observatory, he not only made occasional telescopic observations, but he computed the parabolic elements of the comet of 1857, of the three that appeared in 1858, and, in 1860, observed the occultation of Venus; and his several reports were published in the "Astronomical Journal," printed in Boston, and edited by Dr. Benjamin Apthorp Gould.

In August, 1855, the next year after he had severed his connection with the Observatory, he made a voyage to England in joint charge with the late Mr. Sidney Coolidge, of the United States Chronometric Expedition, for the determination of the difference of longitude between Cambridge, in Massachusetts, and Greenwich, in England. During his stay abroad he visited numerous places of interest, which he made the subjects of notes and sketches; and he subsequently published these in a series of articles in the "Dover Gazette."

In 1856 Mr. Tuttle was admitted to the bar of Massachusetts, and, in 1861, to that of the Supreme Court of the United States. In 1857 he opened a law-office in Newburyport, but the next year removed to Boston, where he remained in practice till his death. In the study of the law, particularly in the application of its principles, and in the history of jurisprudence, Mr. Tuttle found much in which he was deeply interested; but for the conflicts and forensic struggles of the advocate, he does not seem to have been qualified by temperament, or taste, or by any special endowments of nature. While he appeared from time to time in the courts, his professional services were mostly rendered in chambers, and were highly satisfactory to his clients. In 1860 he was appointed United States Commissioner, which office he held in Boston for several years.

Soon after he was admitted to the bar he became profoundly

<sup>1</sup> *Vide Annals of the Observatory*, vol. i. p. clxxix.



interested in historical investigations; and to these studies he devoted all the leisure hours which could be spared from an exacting profession. His natural talent, or genius, if we may use the word, for nice and discriminating observation, as displayed in his work at the Observatory, served him well in this new field of labor. The results of his investigations, at least the more prominent ones, appeared in the *New England Historical and Genealogical Register*, in the *Dover Inquirer*, in the *Notes and Queries*, of London, England, in the *Magazine of American History*, in the *Proceedings of the Massachusetts Historical Society*, and in other periodicals. In the first-named of these serials he published an account of the Tuttle family in New Hampshire, the Isles of Shoals in 1658, a Memoir of Colonel Nathaniel Meserve, a Memoir of Christopher Kilby, a Memoir of John Alfred Poor, and Sketches of Captain Francis Champenowne. From the time he became a member of the Historical Society, a great number of papers from his careful pen may be found in the *Proceedings* covering the eight years of his membership. Most of them are brief; but they contain, nevertheless, either by a new interpretation or the discovery of facts hitherto unnoticed, what he justly regarded as a contribution to historical knowledge.

All the papers given to the press by Mr. Tuttle were prepared from original sources, with great care and patience. The few pages which they occupy represent investigations which, in the diffuse and amplified style of the popular writer of the day, might easily have been expanded into volumes. But for this he had no fondness. It was hostile to his taste, and alien to all his ideas of good historical work. He could not have been induced, by any considerations, to become what we appropriately style a "hack-writer," a mere gatherer-up of other men's gleanings with their mingled errors and misstatements. The sifting process was what gave a special zest to his investigations. He carried enthusiasm into all his work; and when from the mouldy and worm-eaten records of the past, he elicited an important date or fact which might prove to be a key to some mystery or apparent want of sequence in history, he was exhilarated by it, as he had been in earlier years on the discovery of a comet, or a new element in the rings of Saturn.

In 1874 Mr. Tuttle delivered a discourse before the New

Hampshire Historical Society on Captain John Mason, the patentee and founder of New Hampshire. This paper, expanded into a memoir, was intended to be part of a monograph on John Mason, prepared by Mr. Tuttle as one of the publications of the Prince Society. His hope that additional information might be discovered through the agency of the Record Commission of England led to delay, and unfortunately the work was left in an unfinished state. The manuscript is in the possession of the Council of the Prince Society, and will probably be printed after some additional editorial work.

In 1877 Mr. Tuttle read a paper before the Maine Historical Society on the "Conquest of La Cadie by the Dutch," and, in 1880, delivered the "Bi-centennial Discourse" before the New Hampshire Historical Society, commemorating the establishment of civil government over the Province of New Hampshire in 1680. At the last meeting of the Historical Society which he attended, soon after his return from a visit to the island of Bermuda, undertaken partly for the recovery of his declining health and partly for the execution of a commission to make historical investigations, he made to us an interesting communication touching the conveyances of Indian slaves, the evidence of which he found in the records of that island. These persons were, he inferred from the correspondence of dates, Pequots and survivors of King Philip's War, who had been sold into slavery by order of the General Court. His mind was thus always on the alert to gather up and preserve whatever might cast a ray of light upon any remote event in history.

Mr. Tuttle became a member of the Massachusetts Historical Society in 1873, and took an active part both on special committees and as a member of the Council. He was likewise a corresponding or honorary member of a great number of other kindred societies. He received the honorary degree of Master of Arts from Harvard College in 1854, and the degree of Doctor of Philosophy from Dartmouth College in 1880. He was married in 1872 to Mary Louisa, only daughter of the Hon. John C. Park, who survives him. He left no children.

In his social relations Mr. Tuttle was gentle, modest, and unassuming. He was warm-hearted, and always overflowing with the spirit of kindness. He was moderately reticent,

and had little ambition for seeming to impart to others information which he did not himself possess. But on themes that lay within the sphere of his personal observation, particularly those to which he had given a scrutinizing investigation, he was warmly responsive, and ready freely to unfold all the rich treasures of his accumulated knowledge. He was simple and dignified in his bearing, faithful in his friendships, a genial and instructive companion; and his death, in what seemed to be the prime of his career of usefulness, will long be deplored by a large circle of scholars who knew him well and appreciated his excellent and rare qualities.

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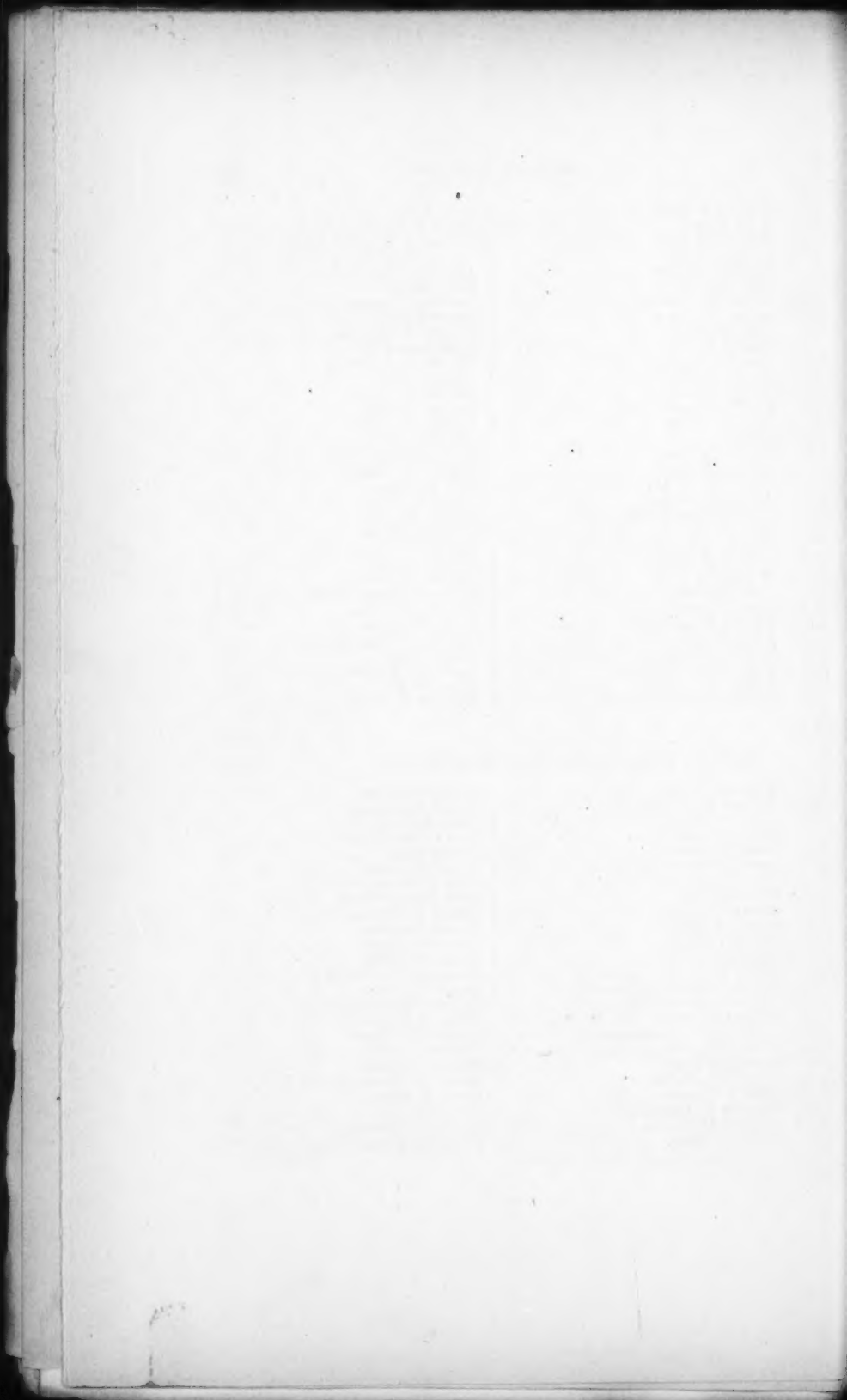
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